



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

REGULAR MEETING AGENDA
Tuesday, July 24, 2018
7:00 P.M.

SOUTH LOS ANGELES, CHESTERFIELD SQUARE, ANIMAL SERVICES CENTER
1850 WEST 60TH STREET
LOS ANGELES, CALIFORNIA 90047

LARRY GROSS
President

OLIVIA E. GARCÍA
Vice-President

LAYNE DICKER
ALISA FINSTEN
ROGER WOLFSON

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) 482-9558.

Si requiere servicios de traducción, favor de hacer pedido con 24 horas de anticipo al (213) 482-9558.

FACILITY TOUR OF SOUTH LOS ANGELES, CHESTERFIELD SQUARE ANIMAL SERVICES CENTER

Commission Tour of South Los Angeles, Chesterfield Square Animal Services Center (starts at 6:15 p.m.). Public is welcome. The Commission meeting will begin promptly at 7:00 p.m.

I. REGULAR COMMISSION MEETING

- 1. PUBLIC COMMENT PERIOD** - (Comments from the public on items of public interest within the Board's subject matter jurisdiction that are not on the Agenda; two minutes per speaker.)

Public Comments: The Brown Act prohibits the Board and staff from responding to the speakers' comments. Some of the matters raised in public comment may appear on a future agenda.

2. NEIGHBORHOOD COUNCIL COMMENTS - (Discussion with Neighborhood Council representatives on Neighborhood Council Resolutions or Community Impact Statements filed with the City Clerk which relate to any agenda item listed or being considered on this agenda for the Board of Animal Services Commissioners)

3. COMMISSION BUSINESS

- A. Approval of the Minutes for Meeting of June 26, 2018 and July 10, 2018. (Action Item; Public comment limited to one minute per speaker).
- B. Election of Board Officers. (Action item; public comment limited to one minute per speaker).

4. ORAL REPORT OF THE GENERAL MANAGER (Public comment limited to one minute per speaker).

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS (Public comment limited to one minute per speaker).

6. BOARD REPORTS

- A. Request for Approval to Accept a \$200K Grant Awarded by the American Society for the Prevention of Cruelty to Animals (ASPCA). (Action Item; Public comment limited to two minutes per speaker).
- B. Request for Approval for the Department to Advise the Chief Legislative Analyst that the Board of Animal Services Commissioners is in Support of California Proposition 12, Farm Animal Confinement Initiative (2018). (Action Item; Public comment limited to two minutes per speaker).
- C. Discussion on dog limits in the City of Los Angeles; reference Council File No. 17-1237-S1. (Public comment limited to one minute per speaker).

7. ADJOURNMENT

Next Regular Meeting is scheduled for 9:00 A.M., August 14, 2018, at City Hall 200 North Spring Street, Room 1060, Los Angeles, CA 90012. (Enter on Main Street).

AGENDAS - The Board of Animal Services Commissioners (Board) meets regularly every second (2nd) and fourth (4th) Tuesday of each month at 9:00 A.M. Regular Meetings are held at City Hall, 200 North Spring Street, Room 1060, in Los Angeles, CA 90012. Evening Meetings are held in various locations throughout the City, from 7:00 to approximately 9:30 P.M. 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, 6th Floor, Suite 600, 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. 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. (For certain agenda items, speakers will have two (2) minutes.)

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 during general public comment period which is limited to two (2) minutes per speaker. (For certain agenda items, speakers will have two (2) minutes each.). 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.

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.



**BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES**



MINUTES

TUESDAY, June 26, 2018 at 7:00 PM

**HARBOR ANIMAL SERVICES CENTER
957 NORTH GAFFEY STREET
SAN PEDRO, CALIFORNIA 90731**

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

Larry Gross, President
Olivia E. García, Vice President
Layne Dicker
Alisa Finsten
Roger Wolfson

Meeting called to order at 7:12 p.m. Commissioners present were Gross, Dicker, Finsten and Wolfson. Also present from Los Angeles Animal Services (LAAS) Acting Board Secretary Tammy Watson, General Manager (GM) Brenda Barnette, Assistant General Manager MeLissa Webber and Assistant City Attorney (ACA) Laurie Rittenberg. Commissioner Wolfson arrived at 8:10 p.m.

Commissioner Gross opened the meeting, introduced staff, and provided an overview of the meeting agenda. Ryan Ferguson of Councilmember Joe Buscaino's office welcomed the Commissioner to the Harbor District and thanked the Commission and the General Manager for their efforts on behalf of Councilmember Buscaino and the constituents of the 15th District.

I. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Andrew Brown discussed mistakes that are made in the shelters. Specifically, a stray dog was recorded in Chameleon as male and it took sick days for someone to identify and correct the records that the dog was in fact a female. These mistakes are costly, as the owner may have been looking for a female dog, not knowing that their dog's gender was misreported. We need to try harder and do better.

Phyllis Daugherty stated that the matter of the department vehicles was discussed at the PAW Committee. The Department will only have 15 new vehicles. We are seeing more and more dogs off-leash and this will result in future issues. We need Animal Control Officers and vehicles.

Fredrick Jordan wanted to thank Phyllis Daugherty for her advocacy for Animal Services. Also thank Ashley the Volunteer Liaison who has taken on the challenge of getting more fosters and Michelle Kelly and Theresa of Pedro Pet Pals for all that they do at the shelter.

Elizabeth stated the Harbor Shelter has been extremely helpful. However, the one concern is regarding the shelter being over-crowded. It would be nice to know the Shelter's procedure when it's overcrowded as her organization would like to help. Jane Castillo stated that it's important to spay and neuter rabbits. They can't foster them fast enough. The spaying and neutering of rabbits should be a requirement.

Marcie Monroe stated that the New Hope Partners who are also rabbit rescues are not stepping up. The other New Hope rabbit rescues need to start stepping up. There should be a requirement in the New Hope agreement.

Leila encouraged mandatory spay and neuter for rabbits. The vouchers have helped but they are geared toward low-income. We need to find a law for mandatory spaying and neutering of rabbits and make people comply.

Ashley Quintero asked what the department is going to do about over-crowding. It is unsafe for the dogs, volunteers and other ACT employees. There are a lot of animals held for behavioral issues and there is no help for them. It is not fair for them to hold up space from other dogs coming in.

2. NEIGHBORHOOD COUNCIL COMMENTS - (Discussion with Neighborhood Council representatives on Neighborhood Council Resolutions or Community Impact Statements filed with the City Clerk which relate to any agenda item listed or being considered on this agenda for the Board of Animal Services Commissioners)

Public Comment:
None.

3. COMMISSION BUSINESS

A. Approval of the Minutes for Meeting of June 12, 2018.

Commissioner Dicker moved to approve the minutes of June 12, 2018 as written. **Commissioner Garcia** seconded and the motion was approved by a unanimous vote of 3-0.

4. ORAL REPORT OF THE GENERAL MANAGER

GM Barnette discussed the following:

Volunteer Ursula encountered severe dog bites to her face and arm here at the Harbor Services Center. We did euthanize the dog to get a quicker response on whether the dog had rabies because the doctor was pushing Ursula to have the rabies injection. The dog was not rabid. We had a crisis counselor at the Shelter the next day to assist staff and volunteers with this horrific accident.

- Shelters are extremely full; we have just fewer than 2,000 animals. Despite the help from our rescue partners we still have to euthanize for space.
- We received a grant which was approved today by Council to help get dogs out of the shelters.
- During the Month of May Free Spay and Neuter campaign we issued 2,186 vouchers, which resulted in about 600 surgeries. This is a 524% increase from last year.

- On June 9, the Shelter participated in the Glassel Bark event resulting in 150 free microchips installed, 55 Spay/Neuter vouchers issued, and the adoption of ten animals including a guinea pig.
- On Saturday, South LA had seven volunteers from Agape International Spiritual Center come to help out for their Sacred Service Saturday and they helped deep clean the kennels.
- North Central sent four kittens to City Hall, three of which were used in a PSA video featuring the Mayor in which he was discussing kitten season at the shelters.
- Staff and Volunteers from East Valley met with 15 students and three professors from New York Film Academy to conduct a photo shoot of about 50 adoptable animals.
- We met with Michelle McGinnis the lead attorney for cruelty cases. She spoke well of our staff regarding the way they are pooling together and writing their reports which helps them uphold convictions.
- On June 9, the Field staff participated in an Equine Chip-a-thon at the Paddock Riding Club. We issued 28 licenses and 33 microchips.
- On June 17 we received a call of a stray horse in Sylmar. Two officers found the horse on the 210 freeway and it moved about into the neighborhood. Our staff and volunteers were able to corral the horse in to a trailer and the horse is now at the West Valley Animal Services Center waiting to be adopted.
- On June 15 we received a call regarding a baby raccoon stuck behind a Red Box machine. We were able to release the raccoon before it was able to rent a movie.

Commissioner Gross asked that the GM let Ursula know the Commission is concerned about her condition and wishes her a speedy recovery.

Public Comment:

Phyllis Daughtery stated she met with Ursula for two hours prior to writing her news article. The staff was not lacking in warning about this dog. If staff is placing three notices about behavior for an animal, why are we putting it up for adoption?

Leila spoke regarding the lack of space. Bunny World tries to help tackle the problem. Maybe there needs to be a concerted effort to tackle the problem. She asks that the Department help them find more New Hope partners for rabbits.

Andrew Brown stated he recently learned that clerks are stating that New Hope pulls have to be done before 4:00 p.m. Anytime someone is there before 5:00 p.m. and wants to adopt animals, they should be accommodated.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Finsten: Suggest that the Department formalize a procedure for an executive level manager or Commissioner reach out to employees and volunteers who are victims of dog attacks.

Commissioner Dicker: Excited to report about a dog Chad who was adopted from LAAS by Best Friends five years ago. Recently, a Facebook post regarding Chad turned into a Facebook page for Chad. The Facebook page was picked up by The DoDo. A family in San Diego saw the article about the least adoptable dog in the world and adopted Chad. Had a very productive meeting with AGM Webber whereby we discussed things on both of our agendas. Commissioners Dicker and Gross attended the City Hall kitten event in the Rotunda. Dicker reported he was a little disappointed that there were not more kitten rescues present. He also reported that he was disappointed that Deputy Mayor Romero was not present. Also spoke with a volunteer from East Valley who said they were running out of kitten food so I challenged my friends to donate and we received about \$700 of food ordered from Amazon. Would also really like to get ahead of the Kapparot and explore ways to deal with that lunacy.

Commissioner Gross: The Kitty Hall at City Hall event could have had more participation but it's a good first step. Allyson Eastwood, Clint Eastwood's daughter was there. They're organization had two adoptions and we had three. Commissioner Gross reminded all of the Pets in Housing workshop on June 29. Hopefully it will lead to opening more doors of homeowners to accept pets. Commissioner Gross further reminded all about the Brown Act which prohibits closed sessions, secret ballots, and commission decisions outside of the meeting process.

Public Comment:
None.

6. Board Reports

- A. Request to Use Funds from the Animal Welfare Trust Fund for a Volunteer Appreciation Event.

Commissioner Dicker spoke with several volunteers who made various comments regarding the proposed volunteer appreciation event. The comments reflected that volunteers were more interested in doing more for the animals than spending large sums of money for a formal event. **Commissioner Finsten** stated that \$60,000 is a large amount for an event and the department can have a nice event for much less. She also offered her assistance in planning an event, as she has much experience in event planning. **Commissioner Wolfson** recommended the use of the Bradley Tower in City Hall to hold the event. **Commissioner Gross** suggested a survey to volunteers to obtain broad input.

Public Comment:

Phyllis Daughtery informed the commission that the County held an event that was less than \$60,000. It was a simple mid-day luncheon.

Andrew Brown stated he was one of Commissioner Dicker's sources and he thought the funding was from the Animal Welfare Trust Fund, he did not know that funds were dedicated to Volunteer Services. That does change his perspective; however, he'd like to see money used to help the animals such as the rooster that did not have medicine.

Leila wanted to add to Commissioner Wolfson's comments regarding volunteer appreciation. There was a volunteer at North Central who volunteered four to five days per week and eight hours per day. She's a doctor by trade. Staff ignores her and disrespects her.

Commissioner Dicker moved to table this proposal for further consideration. **Commissioner Finsten** seconded and the motion was approved by a unanimous vote of 4-0.

- B. Request to Approve Mutual Assistance Agreement Between the Department of Animal Services and the County of Los Angeles.

GM Barnette discussed that is mutual assistance agreement will formalize the assistance from the County should we need assistance in emergency situations. Other agencies are participating in the mutual assistance with the County. The agreement was reviewed by the City's Emergency Team and the City Attorney. We currently assist one another in emergency situations.

Public Comments:

Leila asked how we can have a mutual assistance agreement with an agency whose laws do not align with those of the City.

Commissioner Dicker moved to approve the Mutual Assistance Agreement between the City of Los Angeles and the County of Los Angeles. **Commissioner Wolfson** seconded and the motion was approved by a unanimous vote of 4-0.

- C. Discussion on dog limits in the City of Los Angeles; reference Council File No. 17-1237-S1.

Commissioner Gross explained that a motion was put forth to amend a zoning code to increase the number of cats and dogs per household. This commission was instructed to gather public input. The agenda today focuses on dogs only.

GM Barnette stated that some Counties have increased the limits to four dogs, the City of Santa Monica does not have limits and the City of New York has no limits.

Public Comments:

Diana Mendoza as a representative of PETA we are encouraging the Commission to continue to require a permit for properties with four or more dogs. This ordinance is about protecting animals and giving the best care possible.

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

Phyllis Daughtery agrees with exactly what Diana Mendoza said. Also, when officers go into a property they know that there will be up to three animals. They cannot safely enter properties with ten animals. This is a very dangerous proposal.

Fredrick Jordan as an ACO I ask that you not have more than three dogs per household. When we enter a property and the dogs are attacking one another it is a safety risk for the animals, the animal control officers and the public who may try to break up the fight of multiple dogs. At least with three dogs, there is a fighting chance.

Marcie Monroe has lived in Santa Monica for several years. She knows firsthand that this is not a problem. She encourages the Board to increase the limits. As long as the dogs are clean and healthy there is no problem.

Andrew Brown stated that the people who are irresponsible with spay/neuter or leash laws already have more than the limit of dogs. For this reason, I support this increase.

D. Woof Stat Report for April and May 2018.

GM Barnette discussed the April and May Woofstat report. Barnette pointed out the kitten impounds are up from last year.

Public Comments:

Leila expressed concerns on the category "released". Leila stated she called every supervisor and they were not able to explain the definition of released.

Marcie Monroe stated released shows up in cats and dogs but you do not know if it includes transfers. Marcie further stated that they really need some help understanding these numbers so that they can know how they can help.

Andrew Brown stated the Woofstat report has emphasis on cats and dogs. If you look at the other category you will see a substantial increase in the number of impounds which shows numbers for other species. Andrew asked if it is possible to receive an annual report showing what is happening with the other species.

7. ADJOURNMENT

Meeting ended at 9:00 p.m.



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES



MINUTES

TUESDAY, July 10, 2018 at 9:00 AM

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

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

Larry Gross, President
Olivia E. García, Vice President
Layne Dicker
Alisa Finsten
Roger Wolfson

Meeting called to order at 9:09 a.m. Commissioners present were Gross, García, and Wolfson. Also present from Los Angeles Animal Services (LAAS) Acting Board Secretary Tammy Watson, General Manager (GM) Brenda Barnette and Assistant City Attorney (ACA) Dov Lesel. **Commissioner Gross** opened the meeting, introduced staff, and provided an overview of the meeting agenda.

I. ADMINISTRATIVE APPEALS

1. Dangerous Animal Case: DA 182195 WV

Appellant(s): Joseph Pavone, Laurel Pavone and Alice Pike
West Valley Animal Services Center: Captain Wendell Bowers
Complaining Witness: Joseph and Katherine Lula

The Board discussed the merits of the appeal, the evidence presented by the appellant, and the evidence provided to the Hearing Examiner.

Commissioner Gross made a motion to amend the General Manager's decision of License Revocation to allow the owner to surrender the dog to Best Friends who will take the dog out of the City limits and strongly recommend the General Manager meet with the appellant to discuss relicensing. **Commissioner Garcia** seconded and the motion carried unanimously by a vote of 3-0.

2. Dangerous Animal Case: DA 181190 WLA

Appellant(s): Tiffany Weiland and Brandon Washington
West Los Angeles Animal Services Center: Acting Lieutenant Yvonne Rodriguez
Complaining Witness: David Chang

The Board discussed the merits of the appeal, the evidence presented by the witness, the evidence provided to the Hearing Examiner, and the grounds supporting the General Manager's determination.

Commissioner Gross made a motion to uphold the General Manager's decision. **Commissioner Garcia** seconded and the motion carried unanimously by a vote of 3-0.

3. Dangerous Animal Case: DA 171634 WV

Appellant(s): Michael Makabenta
West Valley Animal Services Center: Captain Wendell Bowers
Complaining Witness: Flor De Maria P. Guimet Pena

The Board discussed the merits of the appeal, the evidence presented by the appellant, the evidence provided to the Hearing Examiner, and the grounds supporting the General Manager's determination.

Commissioner Gross made a motion to uphold the General Manager's decision and strongly recommend the General Manager meet with the appellant to discuss relicensing. **Commissioner Garcia** seconded and the motion carried unanimously by a vote of 3-0.

II. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Kaylee Hawkins stated she is working with AGM Webber to replace the word aggressive when describing animal behavior.

Stephanie White asked the Department to help close a loophole with property owners. Her dog was badly attacked, and the tenants took off and cannot be found. LAAS does not notify the property owners of tenants with dangerous animals.

Janet Meskin discussed a letter received from LAAS regarding a barking dog nuisance complaint which included outdated ordinance information. LAMC Section 53.63 was amended in 2017; however, she received the language from 2011. Additionally, the current procedure can take weeks and months; it's time-consuming and frustrating.

2. NEIGHBORHOOD COUNCIL COMMENTS - (Discussion with Neighborhood Council representatives on Neighborhood Council Resolutions or Community Impact Statements filed with the City Clerk which relate to any agenda item listed or being considered on this agenda for the Board of Animal Services Commissioners)

Public Comment:
None.

3. COMMISSION BUSINESS

None.

4. ORAL REPORT OF THE GENERAL MANAGER

GM Barnette discussed the following:

- LAAS received a \$200,000 grant from ASPCA to supplement adoptions for cats four months and older. To make the most of the grant during the critical cat season, we are moving the request for approval to accept the grant funds through both the Commission and PAW committees simultaneously.
- Our 4th of July adoption numbers increased from the previous year. As a result of the extreme heat we are experiencing, some volunteers brought in fans to cool the animals. Staff distributed the fans amongst different shelters to avoid

electrical overload. LAAS has an excellent working relationship with GSD, and they respond very quickly to our requests. Overall, we want to thank staff and volunteers for a wonderful job. Commissioner Gross asked that the Commission's appreciation is extended to staff as well.

Public Comment:

Phyllis Daughtery stated that the shelters are deplorable and the animals kill one another.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Garcia: Would like a staff report from the Lifesaving AGM on using more specific language instead of the word aggressive to describe behavior.

Commissioner Wolfson: Would like Department staff to prepare a report regarding Proposition 12 (cage-free housing) for general discussion at the next commission meeting.

Commissioner Gross: Reported on the successful Pets in Housing workshop and reported that more owners are open to letting tenants have pets.

Public Comment:

None.

6. Board Reports

A. Animal Welfare Trust and Animal Sterilization Fund Balances for May and June 2018.

Lilia Liclican provided an update on the Animal Welfare Trust and Animal Sterilization Funds for May and June 2018.

Public Comment:

Phyllis Daughtery stated the Animal Sterilization Fund is for owned animals. The Department is spending funds and using it here and there and destroying the foundation of the program.

7. ADJOURNMENT

Meeting ended at 10:31 a.m.

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

LAYNE DICKER

ALISA FINSTEN

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
ANIMAL SERVICES**
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BRENDA F. BARNETTE
GENERAL MANAGER

TAMMY WATSON
ASSISTANT GENERAL MANAGER
Administration

MELISSA WEBBER
ASSISTANT GENERAL MANAGER
Lifesaving

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

Report to the Board of Animal Services Commissioners

MEETING DATE: July 24, 2018

PREPARED BY: Annette Ramirez

REPORT DATE: July 18, 2018

TITLE: Director of Field Operations

**SUBJECT: ACCEPTANCE OF A \$200K GRANT AWARDED BY THE AMERICAN SOCIETY
FOR THE PREVENTION OF CRUELTY TO ANIMALS (ASPCA)**

BOARD ACTION RECOMMENDED:

1. ACCCEPT two checks in the amount of \$110,000 and \$90,000 for a total of \$200,000 from the ASPCA as a grant award for fee-waived cat adoptions;
2. APPROVE the deposit of these funds into the Animal Welfare Trust Fund and restrict these funds for the purposes of fee-waived adoptions of cats; and
3. FORWARD the acceptance of these grant funds to the Mayor and City Council for approval.

BACKGROUND:

On April 26, 2018, the Department of Animal Services submitted an application to the ASPCA for a grant in the amount of \$200,000 to subsidize adoption fees for cats. On July 6, 2018, the ASPCA awarded the \$200,000 grant to the Department and sent the attached Grant Agreement Reference letter outlining the grant requirements, timeliness, usage and reporting requirements. The terms and conditions of the grant were accepted and agreed upon by the Department and the letter was signed and returned to the ASPCA.

JUSTIFICATION:

The Department of Animal Services is constantly seeking new and innovative avenues for encouraging animal adoption in the City of Los Angeles. This ASPCA grant provided funding to accomplish increased adoption and increased live save rates. This year, kitten season is especially busy. The acceptance of these funds will allow the Department to run adoption events focused on cats to increase their chances of finding homes. Over the years, the Department has used a variety of strategies to encourage adoptions. One proven successful method is to offer fee waived adoptions. Documented data supports that when an organization has offered to subsidized adoption

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Report to the Board of Animal Services Commissioners
SUBJECT: ACCEPTANCE OF ASPCA GRANT FUNDS

fees, adoption numbers have risen during the reduced fee period. There are detractors who believe that reduced fee or fee waived adoptions will devalue an animal and potentially make it more likely to be abused, abandoned or neglected. From a practical perspective, those participating in fee waived adoptions must provide valid identification before taking an animal into his/her custody. With the number of under-socialized and/or stray cats in the City, people who have malicious intent toward cats could more easily victimize these undocumented animals rather than identifying themselves to the Department as cat owners. Also, nationwide studies have been conducted gathering information from numerous adoption agencies and there is no evidence to support a greater likelihood of abuse or neglect in fee waived adoptions.

It should be noted that the Department applied for and received a similar grant from the ASPCA in 2015 and 2017. The use of those funds had a very positive impact on the overall live/save rate for cats.

FISCAL IMPACT:

There will be no financial impact on the Department's budgeted funds. This grant will be deposited into the Department's Animal Welfare Trust Fund and used in accordance with the grant agreement.

Approved:



Brenda Barnette, General Manager

Attachments

BOARD ACTION:

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



Grant Agreement Reference:

NAME: **Los Angeles Animal Services**
PROJECT: **Fee-Waived Public Adoptions for Cats**
AMOUNT: **\$ 200,000**
GRANT NUMBER: **201804-20618**
GRANT TERM: **07/06/2018 - 07/06/2019**
ASPCA GRANT OFFICER: **Jodi Buckman**

GRANT ACCOUNT LOGIN: <https://aspca.fluxx.io>

July 6, 2018

Annette Ramirez
221 N. Figueroa Street, Suite #600
Los Angeles, CA 90012

Dear Ms. Ramirez,

The American Society for the Prevention of Cruelty to Animals (the "ASPCA") is deeply honored to be able to grant to Los Angeles Animal Services (the "Grantee," and together with the ASPCA, the "parties" and each a "party") the amount of \$ 200,000 (the "Grant"). These funds are designated for the purpose set forth below and as outlined in your grant request and as further described in this agreement (this "Agreement") and, if applicable, its amendments: Fee-Waived Public Adoptions for Cats (the "Project").

Unless otherwise noted in the payment schedule below, the ASPCA shall pay the grant to the Grantee approximately two to six weeks following receipt of the signed original contract, including all pages. By endorsing and depositing the Grant check, you represent and warrant that Grantee will meet the obligations specified in this Agreement.

Intending to be legally bound and in consideration of the Grant provided to the Grantee and the desire of the Grantee to conduct the Project, the parties hereby agree to the following terms and conditions as of the first date listed above (the "Effective Date"):

1. Grantee Requirements.

The Grantee shall communicate with Jodi Buckman (jodi.buckman@aspca.org) (the "ASPCA Grant Officer") according to the schedule and additional instructions (if applicable) to review and evaluate the use of the Grant funds.

Report Type	Due Date
Interim Report	01/07/2019
Final Report	07/06/2019

Requirements must be submitted through your ASPCA Grants account at:
<https://aspc.fluixx.io/>

An explanation of additional grant requirements you may be asked to fulfill are described in Schedule 1 and on our website at aspcapro.org/grant-reporting-requirements.

You are required to provide additional information relating to this Grant upon the ASPCA's request. Such additional information may include but is not limited to: receipts (up to three years after the Grant end date), photographs, and press information. In addition, you are required to provide access to the ASPCA upon the ASPCA's request so that the ASPCA may conduct a site visit of your location(s) during standard business hours, or at a day and time mutually agreed upon by the ASPCA and the Grantee. The ASPCA will provide you with reasonable notice of any such request unless otherwise mutually agreed upon.

You may submit requirements upon completion at any point during the grant term. Organizations that fail to submit required documentation in a timely manner may jeopardize future grants and/or grant payments. Should you need a due date extension, please forward your request, prior to the due date, to jodi.buckman@aspc.org with the requirement type (e.g. Progress Report, Final Report, etc.), an explanation for your request (including the reason for the anticipated delay) and your preferred new due date.

2. Use of Grant Funds. The ASPCA shall pay the Grant to the Grantee according to the following approximate schedule:

Payment ID	Due at	Amount Due
740503	07/06/2018	\$ 110,000
740545	01/07/2019	\$ 90,000

Please note that payment is contingent upon our receipt of the signed contract, including all pages of the Agreement and original signature on the Agreement, from you. The ASPCA will not advance Grant funds until all required documents have been received and reviewed. Please return the originally executed agreement as soon as possible in order to expedite payment.

The Project shall consist of the activities outlined in the Grant request submitted to the ASPCA that pertain to "Fee-Waived Public Adoptions for Cats", in addition to the following restrictions, modifications and/or instructions:

Grant funds shall be used to waive adoption fees for the public (not rescue groups). The interim and final grant reports shall include the number of adoptions to the public during the grant period.

The Grantee agrees that it is the sole employer of all individuals who are compensated in whole or in part with Grant funds, or whose employment, fellowship or internship position arises in any way as a

direct or indirect result of the Grant (each a "Funded Position"). The Grantee further agrees that it is exclusively responsible for the classification and engagement of any contractors whose fees and/or expenses are paid in whole or in part with Grant funds ("Funded Contractor"). Accordingly, the Grantee agrees that with respect to any Funded Position and/or any Funded Contractor, the Grantee is exclusively responsible for compliance with, and will comply with, any and all applicable federal, state and local employment laws, regulations and rules, including, but not limited to, any employer obligations to: (a) timely pay all wages or other compensation due; (b) withhold and remit employment taxes; (c) administer any required discipline; (d) provide insurance coverages; (e) prohibit discrimination or harassment based on any protected characteristic; and (f) provide any required leave or accommodation. The Grantee acknowledges and agrees that the parties to this Agreement are in the relationship of Grantor and Grantee, and the use of Grant funds for Funded Positions and/or Funded Contractors does not constitute a joint venture, affiliation, or joint employment relationship of any kind.

The Grantee acknowledges and agrees that the grant shall be used exclusively for costs incurred directly in connection with the Project and as set forth in this Agreement, and that failure to do so will result in the Grantee having to return the grant to the ASPCA within ten (10) days of the ASPCA's request to do so.

The Grantee agrees that at no time will any funds it receives from the ASPCA be used to attempt to influence the outcome of any selection, nomination, election, or appointment of any individual to any public office or office of a political organization within the meaning of Internal Revenue Code Section 527(e)(2), and shall furthermore not use any of the funds it receives from the ASPCA to participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office.

The Grantee hereby grants to the ASPCA a license to use the Grantee's name and trademarks on materials directly related to the activities of the Project and/or the Grant. The Grantee Key Contact is Annette Ramirez (the "Grantee Key Contact"), and the Grantee Key Contact shall communicate with Jodi Buckman (jodi.buckman@aspc.org) on an as-needed basis to review and evaluate the use of the Grant funds. The Grantee Key Contact is encouraged to contact the ASPCA Grant Officer at any time to communicate information related to the grant, and must contact the ASPCA Grant Officer as soon as practicable if the Grantee expects that it may need to make any changes to the Project, or it encounters circumstances that may substantially impact outcomes or goals stated in the application or enumerated in this contract.

For projects that include grant funds used to purchase food for a gathering of individuals, including at conferences, trainings and other events sponsored by the ASPCA, the Grantee will limit the use of ASPCA funds to purchase vegetarian, vegan, fish or welfare-certified meat products only. "Welfare-certified meat products" shall mean products that are from farms, obtained either directly or through another supplier (restaurant, retailer, etc.), that are certified by at least one of the following certification programs: (a) Animal Welfare Approved; (b) Certified Humane; and/or (c) Global Animal Partnership, Steps 2 and above. For more information about welfare-certified products or where to locate welfare-certified products, please visit <http://www.aspc.org/take-action/help-farm-animals/finding-higher-welfare-products>.

Employees, volunteers or other associates of the Grantee whose food expenses are reimbursed or otherwise paid from ASPCA grant funds, including, but not limited to beneficiaries of travel stipends and scholarships, are strongly encouraged to choose higher-welfare meat products, fish, vegan or vegetarian food.

3. Acknowledgement of ASPCA Support. In consideration of the grant, the Grantee shall publicly acknowledge that the Project was made possible through a generous grant from the ASPCA and shall reference the ASPCA in all "Project Materials." "Project Materials" shall include, but not be limited to, all copy, script, text, graphics, photographs, video, audio, promotional and advertising materials, and all other editorial matter(s) or press releases relating to the Project. The Grantee shall submit the Project Materials for review and approval by the ASPCA Grant Officer prior to its inclusion in any materials prepared and intended to be distributed regarding the activities of the Project. No changes on the approved version of any Project Materials shall be instituted by the Grantee without the prior written approval of the ASPCA Grant Officer. The ASPCA hereby grants to the Grantee a license to use the ASPCA Trademarks on materials directly related to the activities of the Project. "ASPCA Trademarks" are: "ASPCA®", which must always appear in PMS 422 and 021, unless used in materials that are completely black and white in nature, in which case it may appear in black; and "The American Society for the Prevention of Cruelty to Animals®". The ASPCA has the right in its sole discretion to require the Grantee to remove all references to the ASPCA's involvement if the ASPCA determines that the Grantee is not fulfilling its obligations under this Agreement or if for any other reason the ASPCA determines that it is no longer in the ASPCA's best interest to be referenced in such manner.

Jpegs of the ASPCA logo are included on the URL below for your use on your website or other collateral. Additional logos and badges can also be found there: <http://aspca.org/badges>. Instructions regarding links to the ASPCA's website can be found at this URL: <http://www.asPCA.org/about-us/linking-policy>.

For assistance regarding recognition of your Grant, including press releases, advisories, or general media outreach, please contact the ASPCA's Media Department at press@aspca.org. A suggested press release template is provided as Schedule 2 as a helpful guide. Social media tips are provided on Schedule 3.

4. Records. The Grantee will keep accurate books and records with respect to the grant in accordance with generally accepted accounting principles and business practices. The Grantee will maintain its books and records in such a manner that the receipts and expenditures of the Grant funds will be shown separately on such books and records in any easily checked form. The Grantee will keep records of receipts and expenditures made of Grant funds as well as copies of the reports submitted to the ASPCA and supporting documentation for at least three years after completion of the use of the Grant funds, and will furnish or make available such books, records, and supporting documentation to the ASPCA for inspection at reasonable times from the time of the Grantee's acceptance of the Grant through such period.

5. Maintenance of Tax-Exempt Status. In carrying out the Project, the Grantee shall comply with all applicable federal, state and local laws and regulations. If the Grantee is a 501(c)(3) organization, the Grantee certifies that it is in good standing with the Internal Revenue Service and shall notify the ASPCA immediately of any change in, or challenge by the Internal Revenue Service to, its status as a 501(c)(3) tax-exempt organization.

6. Termination. The ASPCA may, in its sole discretion (i) withhold payment of funds until in its opinion the situation has been corrected or (ii) declare the Grant terminated in any of the following circumstances:

- a. If, as the result of the consideration of reports and information submitted to it by the Grantee or from other sources, the ASPCA, in its sole discretion, determines that continuation of the Project is not reasonably in furtherance of the ASPCA's mission to provide effective means for the prevention of cruelty to animals throughout the United States (the "ASPCA Mission") or that the Project is not being executed in substantial compliance with the grant request (or work plan as revised) or that the Grantee is incapable of satisfactorily completing the work of the Project;
- b. In the case of any violation by the Grantee of the terms and conditions of this Agreement;
- c. In the event of any change in, or challenge by the Internal Revenue Service to, the Grantee's status as a 501(c)(3) tax-exempt organization if applicable; or
- d. If it is revealed that, during the Project, the Grantee is or was involved in any activity or makes any statement disparaging of, or reflecting unfavorably upon the ASPCA, tarnishes the reputation of the ASPCA or is not in alignment with the ASPCA Mission.

If the ASPCA terminates the Grant, it shall so notify the Grantee, whereupon it, if so requested by the ASPCA, shall promptly refund and pay back to the ASPCA any unexpended balance of the Grant funds in the Grantee's hands or under its control.

Upon completion of the Project or termination of this Agreement for any reason, the ASPCA will withhold any further payments of Grant funds and the Grantee shall, at the option of the ASPCA, repay to the ASPCA any portion of the Grant funds that were not spent for the Project. All such determinations by the ASPCA under this Section 6 will be final, binding and conclusive upon the Grantee.

7. Unspent Grant Balance. If the Grantee anticipates not spending or committing to spend the full grant amount within the Grant Term, the Grantee may request an extension to allow for more time to complete the Project without requesting additional funds. To request an extension, the Grantee must login to the ASPCA grants portal at <https://aspca.fluxx.io/> 30 days prior to the grant end date or earlier to provide the following: 1) a brief (2-3 sentence) explanation for why the extension is necessary, 2) any proposed changes to the Project budget line items, if applicable, and 3) a proposed new end date for the grant.

The ASPCA, in its sole discretion, may approve the extension request and extend the grant term to a date different from the Grantee's proposed new end date. If the ASPCA declines the request for an extension, or if the Project is completed but carries a balance of unspent funds, the Grantee shall promptly refund and pay back to the ASPCA the unexpended balance.

8. Future Funding. The Grantee acknowledges that the ASPCA and its representatives have made no actual or implied promise of funding except for the amounts specified in this Agreement. If any of the Grant funds are returned or if the Grant is rescinded, the Grantee acknowledges that the ASPCA will have no further obligation to the Grantee in connection with this Grant as a result of such return or rescission.

9. Modification. No amendment or modification of this Agreement shall be valid, unless made in writing and duly executed by the parties hereto. To request a modification, the Grantee must login to the ASPCA grants portal at <https://aspca.fluxx.io/>.

10. Miscellaneous. This Agreement is intended to be binding upon the Grantee and the ASPCA. This Agreement represents the final agreement between the parties with respect to the subject matter hereto, and supersedes any and all prior agreements, written or oral, between the parties with respect to the matters contained herein. This Agreement is not intended to, nor shall it be deemed to create, any

partnership or joint venture between the Grantee and the ASPCA. This Agreement shall be interpreted, governed by and construed in accordance with the internal laws of the State of New York, without regard to the conflict of laws principles thereof. The parties hereto acknowledge and consent to personal jurisdiction and venue exclusively in New York, New York with respect to any action or proceeding brought in connection with this Agreement. This Agreement may be executed by the parties hereto in counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which shall constitute together the same document.

If the terms and conditions of this Agreement are acceptable, please sign this Agreement and return it to us. By signing this Agreement, you represent and warrant that you are capable of binding the Grantee to the terms set forth in this Agreement.

SIGNATURE PAGE BELOW
GRANT NUMBER: 201804-20618
GRANT AMOUNT: \$ 200,000

Sincerely,
THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Sarah Levin Goodstine
Senior Vice President of Operations and Strategy

OR

Julie Morris
Senior Vice President
Community Outreach

OR

Michael Barrett
Vice President
ASPCA Grants

ACCEPTED AND AGREED:

Los Angeles Animal Services

By (signature of CEO/President/Director): _____

DocuSigned by:
Annette Ramirez
F5A050DF6A40450...

Name/Title: Annette Ramirez Director of Field Operations

Schedule 1: Grant Reporting Requirements

We require ASPCA grantees to fulfill a variety of requirements based on the grant size and purpose. We make every effort to minimize the reporting burden on grantee while employing best practices in all of our grants programs.

Please follow these guidelines when submitting requirements:

- Submit ALL requirements online by logging into your ASPCA Grant Account at <https://aspca.fluxx.io/>.
- Please adhere to the due dates – you may submit fulfilled requirements at any point during the grant term. Should you need extra time to submit any particular requirement, please login to your ASPCA Grant Account prior to the due date with 1) a request for a due date extension, 2) the preferred due date and 3) an explanation for the request.

Grantees will be asked to submit some or all of the following requirements:

- **Final Report** - indication of results/outcomes and an analysis of your project plus an estimation or exact indication, if measurable, of the number of animals impacted by the grant. Narrative text entry and/or upload.
- **Financial Report/Receipts** - a comprehensive list of expenditures for which grant money had been used (typically best submitted in a spreadsheet). Financial Reports for projects that produce accurate, easily measurable outputs, such as targeted spay/neuter programs, should identify the cost per animal as part of a detailed report on the project. Receipts and/or invoices should be uploaded when appropriate. Narrative text entry and/or upload.
- **Photos** - Generally, we ask for photos that show pictorial evidence of the intended use of funds; we may also ask for photos associated with human interest stories for promotional purposes. Narrative text entry for captions plus uploads.
- **Press Information** - links to or uploads of press releases, clips or links showing recognition of the ASPCA's grant for your project. You can also include stories, anecdotes, quotes, and social media posts that could be used for promotional purposes including human interest stories with accompanying photos. Narrative text entry and/or upload.
- **Progress Report** - an interim report designed to inform your grant officer on the status of the project. Narrative text entry and/or upload.
- **Signed Amendment** - an interim report designed to inform your grant officer on the status of the project. Narrative text entry and/or upload.
- **Signed Contract** – all grant awards payments are contingent upon your submission of your signed contracts. Electronic signature (DocuSign) is preferred. (If you are unable to sign and send your contract electronically, please email it to grants@aspca.org, or mail to: ASPCA, Attn: Grants Department, 520 8th Avenue, 7th Floor, New York, NY 10018).
- **Site Visit** – indicates that a grant officer wishes to make a physical site visit of your facility during the grant term, sometimes as a condition of payment or to provide your organization with additional non-cash outreach and resources.

Schedule 2: Press Release Template (Optional)

Your Organization's Logo Here

[DATE]

Media Contact: [NAME]
[PHONE] / [EMAIL]

Headline *Subheader*

[City], [State]—The [Organization] today announced (general information about the initiative/program/event/grant)

"Compelling opening statement about a problem," said Spokesperson, title. "Quote that includes more information about how the funding will assist in impacting animals." (Example: "Many families have sadly had to part with their pets in recent years as a result of the economic downturn," observes Jane Doe, director of shelter operations. "These funds will help expand our safety net program in order to keep more families together.")

Optional quote from the ASPCA (must contact ASPCA Media Department press@aspca.org)

Paragraph with detailed information about initiative/program/event/grant.

For more information, please visit [website].

About [Organization]

History and background of your organization.

###

Schedule 3: Social Media Tip Sheet for Grantees

Why Use Social Media?

Using social media tools such as Facebook, Twitter, YouTube, and blogs to spread the word about your organization and the great work it does can be a powerful and cost-effective strategy for capturing the attention of potential and existing adopters and donors. If you aren't already using social media, here are three of the most compelling reasons to do so:

- e. ☐ **The potential reach of social media is immense.** In contrast to more conventional publicity vehicles, such as printed advertisements, nearly everyone has equal access to your message, and your audiences can easily and immediately share that message with their audiences, helping it go exponentially farther. Social media tools make it easier to see who you're reaching and easier to interact with your constituents, and thereby build and strengthen connections with them.
- f. ☐ **Social media tools are free.** There is no cost to sign up for accounts on Facebook, Twitter, YouTube, or blogging sites such as WordPress or Blogger, which eliminates barriers to entry for cash-conscious organizations. Social-media-savvy volunteers can provide *pro bono* assistance in promoting your organization's work with these tools.
- g. ☐ **Brevity is a virtue.** In the social media realm, lengthy appeals can be counterproductive – usually a few words or lines, a brief story, a photo, or a video can be ideal for generating substantial interest in your efforts. There's no need to use every available social media platform – choose only the one(s) that best fit your organization's communication style.

Connect with us...



...on Twitter at [@aspcapro](#) and [@aspcapro](#)

Using the **#aspcagrants** hashtag to share news of your ASPCA grant and its impact makes it easy for adopters and donors across the Twitterverse to catch wind of your success, whether or not they're already followers.



...on Facebook at [facebook.com/aspcapro](#) and [facebook.com/ASPCAPro](#)

Becoming a "fan" of ours and creating a "fan" page of your own makes it easy for the ASPCA, other organizations, and the general public to learn about your organization and the great work you do, and to share your success with others. We hope you'll "like" us!

ASPCA Grant Publicity Guidelines

Social media tools make it easy to share news about your ASPCA grant and the project it is supporting! Updates on your successes that engage readers, along with clear and colorful photos and videos that showcase those successes, will help your group to attract more followers. We encourage you to publicize your funded project – and if you do, please loop in your grant officer to let him/her know!



...on YouTube at [youtube.com/ASPCA](#) and [youtube.com/ASPCAPro](#)

Many smartphones make it easy to shoot and upload videos to YouTube, which provides a powerful platform for your audiences to literally see your work in action. Subscribe to the ASPCA's channel and see how other animal welfare organizations are using YouTube to bring their efforts to life.

Resources

- **ASPCAPro Resource Library**
(<http://www.aspcapro.org/resource-library>) – This repository of articles, tip sheets, and webinars has

been developed specifically to serve the needs of our grantees.

- ***The Social Animal*** (<http://www.thesocialanimal.com/>) – A blog focused on helping animal welfare advocates use social media tools to accomplish their mission more effectively.
- ***Beth Kanter's Blog*** (<http://www.bethkanter.org/>) – A blog focused on helping nonprofits use social media and other digital tools to achieve social change.

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MAYOR**

**DEPARTMENT OF
ANIMAL SERVICES**
221 N. Figueroa Street
6TH Floor, Suite #600
Los Angeles, CA 90012

(888) 452-7381
FAX (213) 482-9511

BRENDA F. BARNETTE
GENERAL MANAGER

TAMMY WATSON
ASSISTANT GENERAL MANAGER
Administration

MELISSA WEBBER
ASSISTANT GENERAL MANAGER
Lifesaving

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

Report to the Board of Animal Services Commissioners

MEETING DATE: July 24, 2018

PREPARED BY: Brenda F Barnette

REPORT DATE: July 12, 2018

TITLE: General Manager

SUBJECT: CALIFORNIA PROPOSITION 12, FARM ANIMAL CONFINEMENT INITIATIVE (2018)

BOARD ACTION RECOMMENDED: APPROVE

Direct the Department to advise the City Legislative Analyst that the Board of Animal Services Commissioners supports the passage of Proposition 12 and to ask the City Lobbyists to **Support California Proposition 12, Farm Animal Confinement Initiative (2018)**.

PLEASE NOTE: *The content of this report has been taken directly from BALLOTPEDIA, the online encyclopedia of American politics and elections. Their stated goal is to inform people about politics by providing accurate and objective information about politics at all levels of government. They are firmly committed to neutrality. To review their information in it's entirety on Californai Proposition 12, please click on this link:*

[https://ballotpedia.org/California Proposition 12, Farm Animal Confinement Initiative \(2018\)](https://ballotpedia.org/California_Proposition_12,_Farm_Animal_Confinement_Initiative_(2018))

BACKGROUND:

In 2008, the The Humane Society of the United States developed a ballot initiative, titled Proposition 2, to ban the confinement of pregnant pigs, calves raised for veal, and egg-laying hens in a manner that did not allow them to turn around freely, lie down, stand up, and fully extend their limbs. Proposition 2 did not provide specific square feet when defining prohibited confinement. Rather, the size restrictions were based on animal behavior. Opponents, such as the Association of California Egg Farmers, claimed this was too vague. Voters approved Proposition 2, and the law went into effect in 2015.

Proposition 12 of 2018, unlike Proposition 2, would ban the sale of meat and eggs from calves raised for veal, breeding pigs, and egg-laying hens confined in areas below a *specific number of square feet*. The size restrictions based on animal behavior would be repealed and replaced. Beginning in 2020, the proposal would ban:

-
- whole veal meat from a calf (young domestic cow) that was confined in an area with less than 43 square feet of usable floor space per calf;
 - whole pork meat from a breeding pig or the immediate offspring of a breeding pig that was confined in an area with less than 24 square feet of usable floor space per pig; and
 - shell eggs and liquid eggs from an egg-laying hen (chicken, turkey, duck, goose, or guinea fowl) that was confined in an area with less than 1 square foot of usable floor space per hen.

Beginning in 2021, producers would be required to confine egg-laying hens in cage-free housing systems based on the United Egg Producers' 2017 cage-free guidelines.

California Proposition 12, the **Farm Animal Confinement Initiative**, is on the ballot in California on November 6, 2018.

A **YES** vote supports banning the sale of meat and eggs from calves raised for veal, breeding pigs, and egg-laying hens confined in areas below a *specific number of square feet*.

A **NO** vote opposes banning the sale of meat and eggs from calves raised for veal, breeding pigs, and egg-laying hens confined in areas below a *specific number of square feet*.

The ballot initiative would make the California Department of Food and Agriculture and the California Department of Public Health responsible for the measure's implementation. Violations of the initiative would be considered misdemeanors, with fines up to \$1,000. Proposition 2 (2008) did not authorize a state department to enforce the ballot initiative. Therefore, local law enforcement agencies were made *de facto* responsible for enforcing Proposition 2's size restrictions.

Prevent Cruelty California, a ballot measure committee, is leading the campaign in support of the ballot initiative. The Humane Society of the United States (HSUS) launched the campaign committee. As of July 7, 2018, the campaign committee had raised \$3.14 million. The largest contributor to the committee was the Humane Society, which provided \$2.05 million in cash and in-kind services.

The Association of California Egg Farmers and National Pork Producers Council came out in opposition to the ballot initiative, arguing that the required changes would increase food prices and create meat and egg shortages. The Humane Farming Association (HFA), People for the Ethical Treatment of Animals (PETA), and Friends of Animals—animal rights organizations—also came out against the initiative, contending that the HSUS was colluding with the United Egg Producers and that the measure would keep hens in "horrific multi-level "cage-free" factory systems." HFA launched the committee Californians Against Cruelty, Cages, and Fraud to oppose the initiative. As of July 7, 2018, the committee had raised \$550,000.

Bans sale of meat from animals confined in spaces below specific sizes.

SUMMARY:

The Humane Society of the United States, ASPCA, and nearly 500 California veterinarians endorse Prop 12.

Voting YES prevents baby veal calves, mother pigs, and egg-laying hens from being crammed inside tiny cages for their entire lives. It will eliminate inhumane and unsafe products from these abused animals from the California marketplace. Voting YES reduces the risk of people being sickened by food poisoning and factory farm pollution, and helps family farmers.

PREVENT CRUELTY TO ANIMALS. It's cruel to confine a baby calf in a tiny cage. Taken away from his mother shortly after birth, he's confined in that abusive way until he's sent to slaughter—at just four months old.

A mother pig shouldn't be locked in a tiny, metal cage where she can barely move. She's trapped, forced to live in this small amount of space for *nearly four years*.

It's wrong to cram a hen tightly in an overcrowded, wire cage for her entire life. She's forced to eat, sleep, defecate, waste, and lay eggs in the same small space every single day.

PROTECT OUR FAMILIES FROM FOOD POISONING AND FACTORY FARM POLLUTION. In the past decade, there have been recalls of nearly a billion eggs from caged chickens because they carried deadly *Salmonella*. Scientific studies repeatedly find that packing animals in tiny, filthy cages increases the risk of food poisoning. Even *Poultry World*, a leading egg industry publication admitted, "*Salmonella thrives in caged housing.*"

That's why the Center for Food Safety and National Consumers League both endorse YES on Prop 12.

The American Public Health Association called for a moratorium on new animal confinement operations because they pollute the air and ground water, and diminish the quality of life for nearby homeowners.

HELP FAMILY FARMERS AND GROW THE CALIFORNIA ECONOMY. Mega-factory farms that cage animals cut corners and drive family farmers out of business. By voting YES on Prop 12 we can create sensible standards that keep family farmers in business—and allow them to grow. Since cage-free farms employ more workers, this measure would create *more jobs* for hardworking farming families.

That's why *California family farmers* and the *United Farm Workers* endorse Prop 12.

A COMMON-SENSE REFORM

- Prop 12 strengthens a decade-old animal cruelty law and provides ample phase-in time for producers to shift to cage-free practices.
- Over 200 major food companies like *Walmart*, *Taco Bell*, *McDonald's*, *Burger King*, *Safeway*, and *Dollar Tree* have committed to using cage-free products.
- A dozen states have passed laws addressing the cruel caging of farm animals.
- The YES vote is endorsed by *Catholic*, *Presbyterian*, *Episcopal*, *Methodist*, *Jewish*, *Evangelical*, and *Unitarian* faith leaders, and *local animal shelters across California*.

We wouldn't force our dog or cat to live in a filthy, tiny cage for her whole life; we shouldn't allow any animal to endure such suffering either. All animals, including farm animals, deserve protection from cruelty and abuse.

SUPPORTERS

Officials

- Sen. Henry Stern (D-27)
- Former officials
- Sen. Dean Florez (D-16)

Municipalities

- Encinitas City Council

Organizations

- The Humane Society of the United States
- The American Society for the Prevention of Cruelty to Animals
- San Francisco Society for the Prevention of Cruelty to Animals
- San Diego Humane Society
- Marin Humane Society
- Yolo County Society for the Prevention of Cruelty to Animals
- The Humane League
- Mercy For Animals
- Compassion in World Farming
- Animal Equality
- Animal Legal Defense Fund
- Animal Protection and Rescue League
- Compassion Over Killing
- FixNation
- Heaven on Earth Society for Animals
- In Defense of Animals
- Bark Avenue Foundation
- Compassion Champs
- Santa Paula Animal Rescue Inc.
- The Gentle Barn
- Animal Welfare Institute
- Harvest Home Animal Sanctuary
- The Humane Society Veterinary Medical Association
- Center for Food Safety
- Farm Forward
- National Consumers League
- Organic Consumers Association
- Center for Biological Diversity
- Roots of Change
- Jewish Initiative for Animals
- Evangelicals for Social Action
- CreatureKind
- Shamayim V'aretz Institute

ARGUMENTS

- **Wayne Pacelle**, former president of the Humane Society, said, "Californians know that locking farm animals in tight cages for the duration of their lives is cruel and compromises food safety. All animals deserve humane treatment, especially those raised for food."

OPPONENTS

- Association of California Egg Farmers
- Friends of Animals
- Humane Farming Association (HFA)
- National Pork Producers Council
- People for the Ethical Treatment of Animals (PETA)¹

ARGUMENTS

- The **Association of California Egg Farmers** issued the following statement: "With this new initiative now calling for full compliance by the end of 2021, HSUS is reneging on the original agreement and this expedited timeline may result in supply disruptions, price spikes and a shortage of eggs for sale."
- **Jim Monroe**, spokesperson of the National Pork Producers Council, said, "Livestock production practices should be left to those who are most informed about animal care — farmers — and not animal rights activists. Additionally, changes in housing systems, which come with significant costs that increase food prices, should be driven by consumer purchasing decisions, not the agenda of any activist group."
- The **Humane Farming Association** stated, "The Humane Society of the United States is once again deceiving voters, flip-flopping on the issue of cages, and perpetuating the suffering of millions of egg-laying hens throughout California. The inescapable reality is that, had Prop 2 actually accomplished what HSUS promised, California would be cage free at this very moment. Rather than correcting its historic failure, HSUS is now misusing our state's ballot measure process with a whole new set of false promises. This betrayal of voters and farm animals must be soundly defeated."

FISCAL IMPACT:

Potential decrease in state and local tax revenues from farm businesses, likely not to exceed the low millions of dollars annually. Potential state costs ranging up to ten million dollars annually to enforce the measure.

Approved:



Brenda Barnette, General Manager

BOARD ACTION:

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

PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT relative to the various definitions of kennels.

Recommendations for Council action, pursuant to Motion (Koretz - Blumenfield):

1. REQUEST the City Attorney to prepare and present an Ordinance amending the definition of kennel in Section 12.03 of the Los Angeles Planning and Zoning Code (LAPZC) to specify its application only to kennels maintained for business purposes, with the exception of pet shops (which are separately defined in Section 12.03), and that the definition also be used to resolve any differences in language that exist with the dog and cat kennel definitions in Section 53.00 of the Los Angeles Municipal Code (LAMC), including adding cats if doing so is deemed appropriate and/or useful.
2. INSTRUCT the Department of Animal Services and the Board of Animal Services Commissioners to immediately undertake a public process to make recommendations for the initiation of an Ordinance adding specific per household dog and cat limits to Section 53.00 of the LAMC, amending the dog and cat kennel definitions in Section 53.00 of the LAMC to resolve any differences in language with the proposed revision of the kennel definition in Section 12.03 of the LAPZC, and to ensure that the definition of pet shops in Section 53.00 matches that in Section 12.03, with the intention of having these amendments be considered by the City Council in conjunction with any proposed amendment of the kennel definition in Section 12.03 undertaken as a function of Motion (Koretz - Blumenfield), dated December 13, 2017, and attached to the Council file.

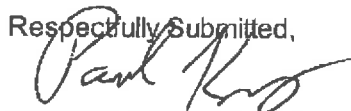
Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At a regular meeting held on January 17, 2018, the Personnel and Animal Welfare Committee considered Motion (Koretz - Blumenfield) regarding the definition of kennel. General Manager of the DAS and a representative of the City Attorney's Office clarified to the Committee regarding the term kennel in the various codes. After an opportunity for public comment, the Committee recommended to approve the Motion and request the City Attorney to prepare the Ordinance. This matter is now submitted to the Council for consideration.

Respectfully Submitted,



PERSONNEL AND ANIMAL WELFARE COMMITTEE

<u>MEMBER:</u>	<u>VOTE:</u>
KORETZ	YES
PRICE	YES
ENGLANDER	ABSENT