



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

REGULAR MEETING AGENDA
Tuesday, March 26, 2019
9:00 A.M.

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

LARRY GROSS
President

OLIVIA E. GARCÍA
Vice-President

ALISA FINSTEN
JOSE SANDOVAL
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.

I. ADMINISTRATIVE APPEALS

- 1. Dangerous Animal Case: DA 183558 WV**
Appellant(s): Cynthia Koniow
West Valley Animal Services Center: Captain Lorna Esparza
Complaining Witness: James Valdez

II. 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)

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 Minutes for the Meeting of March 12, 2019 (Action Item; Public comment limited to one minute per speaker).

4. ORAL REPORT OF THE GENERAL MANAGER

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

6. BOARD REPORTS

A. Acceptance of a \$25,000 donation from VCA Charities for Disaster Relief Efforts for Animals. (Action Item)

B. Authorize the Use of Animal Welfare Trust Funds for Staff Registration and Travel Accommodations for the Humane Society of the United States Animal Care Expo 2019. (Action Item)

C. Recommendation to Support Senate Bill No. 258 (Hertzberg) – Grants for Qualified Homeless Shelters for Pets and Veterinary Services. (Action Item)

D. Recommendation to Support Assembly Bill No. 366 (Bloom) – Animal Blood, Blood Components and Biologics. (Action Item)

E. Recommendation to Support Assembly Bill No. 588 (Chen) – Dog Bite Reporting Requirements. (Action Item)

7. ADJOURNMENT

Next Regular Meeting is scheduled for 9:00 A.M., April 9, 2019, 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**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles

CALIFORNIA



ERIC GARCETTI
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

NOTIFICATION OF ADMINISTRATIVE APPEAL HEARINGS

To Be Held:

Tuesday, March 26, 2019, at 9:00 A.M.

City Hall

200 North Spring Street, 10th Floor, Room 1060

Los Angeles, CA 90012

(Entrance on Main Street)

This serves as formal notice pursuant to Section § 53.18(q) 4 of the Los Angeles Municipal Code (LAMC) to the following parties and witnesses in the appeal(s) listed below:

- 1. Dangerous Animal Case: DA 183558 WV**
Appellant(s): Cynthia Koniow
West Valley Animal Services Center: Captain Lorna Esparza
Complaining Witness: James Valdez

These hearings will not be rescheduled, except for good cause.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. 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 additional information, please refer to the Board's "Rules and Procedures for Appeals", or contact the Department of Animal Services at (213) 482-9558, or visit the Department's website: <http://www.laanimalservices.com/>. Written statements are to be submitted to the Commission seven days prior and, if in excess of 50 pages, seven hard copies must be provided. You may submit your statement (50 pages or less) via email to: ani.commission@lacity.org.

Para información en español, llame al (213) 482-9558.

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES



MINUTES

TUESDAY, March 12, 2019 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
Jose Sandoval
Alisa Finsten
Roger Wolfson

Meeting called to order at 9:16 a.m. Commissioners present were García, Gross, Finsten, Sandoval and Wolfson. Also present from Los Angeles Animal Services (LAAS) was General Manager (GM) Brenda Barnette, Assistant General Manager (AGM) Tammy Watson, AGM MeLissa Webber, Board Secretary, LaTonya Dean and Assistant City Attorney (ACA) Laurie Rittenberg.

Commissioner Gross opened the meeting, introduced staff and provided an overview of the meeting agenda.

I. ADMINISTRATIVE APPEALS

1. Dangerous Animal Case: DA 184585 NC

Appellant(s): Albert Ta

North Central Animal Services Center: Lieutenant Angela Hooks

Complaining Witness: Sylvia Gonzalez

The Board discussed the merits of the appeal, the evidence provided to the Hearing Examiner, and the grounds supporting the General Manager's determination. The Board found that the evidence supports the decision of the General Manager's determination.

Commissioner Gross made a motion to uphold the decision of the General Manager. **Commissioner Wolfson** seconded and the motion was approved by a vote of 4-1.

Ayes: Finsten, García, Gross and Wolfson

Noes: Sandoval

Absent: None.

Public Comment:
None.

2. Dangerous Animal Case: DA 184587 WV

Appellant(s): Maria F. De La Rosa

West Valley Animal Services Center: Captain Lorna Esparza

Complaining Witness: Daniel Joyce

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

found that the evidence supports the decision of the General Manager's determination.

Commissioner Wolfson made a motion to uphold the decision of the General Manager. **Commissioner García** seconded and the motion was approved by a unanimous vote of 5-0.

Ayes: Finsten, García, Gross, Sandoval and Wolfson

Noes: None.

Absent: None.

Public Comment:
None.

3. Dangerous Animal Case: DA 183479 EV

Appellant(s): Rachelle Wells

East Valley Animal Services Center: Lieutenant Jose Gonzalez

Complaining Witness: Jennifer Hourigan

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

Commissioner Wolfson made a motion to uphold the decision of the General Manager with a modification to the Terms, Conditions and Restrictions to require K9 Good Citizen certification training within 60 days as a substitute to Item 10 which required fencing be installed at the property. **Commissioner Gross** seconded and the motion was approved by a unanimous vote of 5-0.

Ayes: Finsten, García, Gross, Sandoval and Wolfson

Noes: None.

Absent: None.

Public Comment:
None.

4. Dangerous Animal Case: DA 181267 SLA

Appellant(s): Jonathon Robinson

South Los Angeles Animal Services Center: Lieutenant John Cessna

Complaining Witness: LAPD Officer Roach and LAPD Officer Evis

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

Commissioner Wolfson made a motion to overturn the decision of the General Manager, return the dog to its owner with Terms, Conditions and Restrictions that require that the dog receive training and be on leash as per the restrictions. **Commissioner García** seconded and the motion was approved by a vote of 4-1.

Ayes: Finsten, García, Sandoval and Wolfson

Noes: Gross

Absent: None.

Public Comment:
None.

II. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Jeffrey Mausner, Valley Alliance of Neighborhood Councils (VANC), spoke about the killing and torturing of dogs in the South Korean dog meat trade. He also presented a resolution from VANC requesting that the City Council pass a motion opposing the trade and requesting Mayor Garcetti to raise the issue with officials.

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:

Jeffrey Mausner spoke in regards to Council File (CF) 17-1421 and 17-1421 S1 which are relative to strengthening the laws regarding use of illegal fireworks and increased police enforcement. He spoke about the effect that illegal fireworks have on dogs. He also discussed CF 18-0130; the Found Pets Policy. He stated that the Tarzana Neighborhood Council passed a resolution and submitted a Community Impact Statement in support of this policy. He further discussed some of the misunderstandings about the policy. Lastly, he discussed a Community Impact Statement which was submitted by the Tarzana Neighborhood Council on the Citywide Cat Program – TNR (Trap-Neuter-Release) Injunction. He stated that it was taking a long time to complete the Environmental Impact Report (EIR) and that in the meantime, cats were dying. He urged everyone involved to expedite the EIR process.

3. COMMISSION BUSINESS

A. Approval of the Minutes for Meeting of February 26, 2019.

Public Comment:
None.

Commissioner García moved to approve the minutes of February 26, 2019. **Commissioner Finsten** seconded and the motion was approved by a unanimous vote of 5-0.

Ayes: Finsten, García, Gross, Sandoval and Wolfson

Noes: None.

Absent: None.

4. ORAL REPORT OF THE GENERAL MANAGER

GM Barnette discussed the following:

- **AGM Watson**, reported that effective December 17, 2018, 311LA started taking some of the Department's (non-urgent) calls. 311LA takes about 3,000 calls for the Department per month and are working on expanding the types of calls they take for the Department. The Department is working with ITA (Information Technology Agency) to increase the bandwidth in our animal centers to accommodate the new equipment at the centers.
- On March 1st, the Department conducted an Employee Appreciation Day and allowed L.A. City employees to adopt a dog at no charge.
- Dogs Playing for Life returned to East Valley Animal Services Center for a refresher course for staff and volunteers.
- On February 26th, World Spay Day, the Department with the help of Lucy Pet Foundation held an event where adoptable animals were spayed and neutered on site. A KTLA morning newscaster was there and the Department followed it up in its own way by launching online spay and neuter vouchers which are downloadable from the Department's website.
- **GM Barnette** spoke about the Administrative Appeal Hearing process, specifically about situations involving the revocation of a dog license. **GM Barnette** clarified that when the dog owner is told that they can contact the General Manager about having that reversed, it is not reversing it for the subject dog. A discussion with the General Manager would be about a different dog from what they previously owned. Additionally, **GM Barnette** clarified that when a dog's license is revoked and the Department has custody of the dog, the Department cannot guarantee that the dog will not be euthanized.

Public Comment:

Jeffrey Mausner asked about what was going on with the TNR injunction and EIR. **GM Barnette** responded that Department staff attended regular meetings with City staff to review the amount of literature on TNR and the delay may be due to the large number of documents.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Sandoval: Passed

Commissioner Finsten: Stated that after reading some of the hearing reports, she found some of the comments to be rather subjective, such as statements regarding

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

dog owners' financial capacities. She would like the Department to examine the report process to ensure that the reports are not bias.

Commissioner García: Requested that next year the Department consider adding a week of free spay and neuter for dogs and cats.

Commissioner Wolfson: Wanted to commend the Commission for a lot of good agenda items that are coming up and specifically expressed his excitement for what the Department was doing with volunteers. He also noted that one thing that was outstanding was a request for a report back on changing shelter hours. **GM Barnette** reported that it was on an agenda for discussion at an upcoming JLMC (Joint Labor Management Committee) meeting in March.

Commissioner Gross: Requested a report back on SB 258 (Hertzberg) also known as the House People with Pets Bill which would empower homeless shelters to take in individuals experiencing homelessness who also have pets and would create \$5 million in state general fund grants for homeless shelters to offer shelter, care and veterinary services to the pets of people staying there. He also requested a report on ASB 366 (Bloom) which is aimed at allowing animal blood banks in California to utilize a donor blood collection system for dogs and cats. This would change the "closed colonies" system being used which repeatedly uses blood from the same animals.

Public Comment:
None.

6. Board Reports

- A. Authorize the Use of Animal Welfare Trust Funds to Host a Volunteer Appreciation Event.

Carolyn Almos, Director of Volunteer Programs briefed the Board on the scheduled activities related to the proposed volunteer appreciation event. She also reported that the number of active volunteers was 2,531 which was double the number from the past year. **GM Barnette** noted that this event was downscaled from previous plans at the request of some of the volunteers. **Commissioner Wolfson** thanked staff for providing vegan food options at the event and hoped the press would be at the event. In terms of the tools provided to volunteers, he suggested also supplying keys so that the volunteers could take the dogs out (for walks).

Public Comment:

Jeff Fleiss, Animal News, thanked the Department for throwing the event for the volunteers as it builds camaraderie among them and was impressed that vegan food would be served at the event.

Jeffrey Mausner thought the event was a good idea and not a waste of money. Stated that he had noticed that the number of volunteers had increased, but noted that more volunteers were still needed so that every walkable dog could get out to the play yard and every cat and rabbit could get some attention. He

also spoke about the recommendations for the budget white paper.

Commissioner Wolfson moved to authorize the use of up to \$30,000 in Animal Welfare Trust Funds for a volunteer appreciation event. **Commissioner García** seconded and the motion was approved by a unanimous vote of 4-0.

Ayes: García, Gross, Sandoval and Wolfson

Noes: None.

Absent: Finsten

B. Recommendation to Support Senate Bill No. 313 (Hueso) – Prohibition on the Use of Wild and Exotic Animals in Traveling Animal Acts.

GM Barnette reported that at the last Board meeting she mentioned she felt that this bill was a good next step after the bullhooks for protecting the large cats that are in traveling acts. She noted that there was some opposition to this bill, but after reading the comments, she believed that opponents were confused as they thought that this might somehow hamper humane education of wildlife. **Commissioner Wolfson** thanked Commissioner Gross for scheduling both this item and the next one on the same day. He stated that each one of the cases (administrative appeals) on the agenda demonstrated the level of respect, love, care and concern that the Department had for companion animals and he believed that the same level of compassion, love and care should be extended to all animals.

Public Comment:

Jeff Fleiss, Animal News, stated that he whole-heartedly supported the bill.

David Rutan stated that he was in support of the bill and that confinement of animals alone was enough to support it.

Commissioner Wolfson moved to recommend the support of Senate Bill No. 313, prohibiting the use of wild and exotic animals in traveling animal acts. **Commissioner García** seconded and the motion was approved by a unanimous vote of 5-0.

Ayes: Finsten, García, Gross, Sandoval and Wolfson

Noes: None.

Absent: None.

C. Recommendation to Amend the Los Angeles Municipal Code to Prohibit Rodeo Events in the City of Los Angeles.

GM Barnette stated that the recommendation was to prohibit rodeo activities such as bull-riding, calf-riding and wild cow milking, all of which are abusive and dangerous to the animals and people who participate in the events. **Commissioner Wolfson**, before introducing Heather Hamza, encouraged the

public to bring the Board their ideas and promoted citizen democracy.

Public Comment:

Heather Hamza reported that circuses and rodeos are very much alike in that circuses take wild animals and make them tame, while rodeos take tame animals and make them wild. She stated that large, powerful animals were artificially induced by humans to be terrified to death and their bodies responded in manners which placed them at very high risk for grave injuries and even death. She then described some of the events that take place at rodeos and the injuries sustained by the animals. She also left copies of Rodeo Reporting Forms from the Department of Consumer Affairs. **Commissioner Wolfson** pointed out that Ms. Hamza was supported by a number people through a series of letters which were provided to the Commission.

Commissioner Sandoval asked if anyone knew how many events happen in the City of Los Angeles each year and **Commissioner García** asked if anyone knew where they took place. **Ms. Hamza** responded that she met with Councilmember Koretz a year ago about the subject and at the time there weren't any in the City of Los Angeles, only in the County of Los Angeles. However, when the PBR (Professional Bull Riding) event was scheduled at the Staples Center (Los Angeles) last month they knew it was time to act.

Phyllis Daugherty stated that this wasn't something that we hadn't already seen before. She stated that the Department officers didn't have any experience in real enforcement and noted that there wasn't a draft ordinance attached to the report. **Commissioner Wolfson** stated that there was a motion attached to the report and **GM Barnette** stated that once the motion is passed by City Council, they instruct the City Attorney's Office to draft an ordinance.

David Rutan stated that rodeos have unwilling participants and by having the rodeo here, we are condoning the violent sport. He encouraged the Commission to pass the motion.

Jerilynn Burks read an excerpt from Dr. Peggy Larson, a farmer, a rodeo bareback bronco rider and a large animal veterinarian which described some of the activities that take place at rodeos.

Jeffrey Mausner stated that he grew up in Colorado and had seen rodeos when he was a kid and felt that rodeos were cruelty to animals for entertainment. He also talked about the injuries to people who participate in rodeos as well and urged the Commission to pass the resolution recommending that City Council ban rodeos in Los Angeles.

Audrey Harvey, Last Chance for Animals, spoke about the protest that took place outside the PBA event at the Staples Center. She urged the Commission to support the motion to ban rodeos and rodeo type activities in the City of Los Angeles.

Amanda Lundberg read statements made by T.K. Hardy, a Texas veterinarian and sometimes steer-roper, regarding rodeo activities and spoke about the definition of humane activities toward animals.

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

Jeff Fleiss talked about sadistic skills taught by the rodeo and stated that he had not seen another sport where they have an ambulance on hand for the sake of the animals. He wholeheartedly believed in this bill and supports the ban.

Commissioner Gross requested an amendment to add “including Animal Services” after “appropriate City staff” in the recommended motion.

Commissioner Wolfson moved to recommend an amendment to the Los Angeles Municipal Code to prohibit rodeo events in the City of Los Angeles with an amendment to the motion to require that Los Angeles Animal Services staff be included in making the changes. **Commissioner García** seconded and the motion was approved by a unanimous vote of 4-0.

Ayes: García, Gross, Sandoval and Wolfson

Noes: None.

Absent: Finsten

7. ADJOURNMENT

Meeting ended at 11:26 a.m.

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
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: March 26, 2019

PREPARED BY: Catherine Chico

REPORT DATE: March 18, 2019

TITLE: Senior Management Analyst II

**SUBJECT: ACCEPTANCE OF A \$25,000 DONATION FROM VCA CHARITIES FOR DISASTER
RELIEF EFFORTS FOR ANIMALS**

BOARD ACTION RECOMMENDED:

1. **ACCCEPT** the donation of \$25,000 from VCA Charities to fund disaster relief efforts for animals;
2. **APPROVE** the deposit of these funds into the Animal Welfare Trust Fund and restrict these funds to help with relief for animals affected by future disasters; and
3. **FORWARD** the acceptance of this donation to the Mayor and City Council for approval.

SUMMARY:

The Los Angeles Administrative Code, Section 5.200.1 (Receipt of Property) states that any gift or bequest to be used by the Department that exceeds \$25,000 must be approved by the Mayor and City Council.

On March 8, 2019, the Department of Animal Services received a check in the amount of \$25,000 from VCA Charities. These funds are a restricted donation and will be used to help with relief efforts for animals affected by future disasters.

FISCAL IMPACT:

There is no financial impact on the Department budget. This donation will be deposited into the Animal Welfare Trust Fund and used in accordance with the donor's intended purposes.

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

Report to the Board of Animal Services Commissioners

SUBJECT: ACCEPTANCE OF A \$25,000 DONATION FROM VCA CHARITIES FOR DISASTER
RELIEF EFFORTS FOR ANIMALS

Approved:

Brenda F. Barnette

Brenda Barnette, General Manager

BOARD ACTION:

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

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
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: March 26, 2019

PREPARED BY: MeLissa Webber

REPORT DATE: March 21, 2019

TITLE: Assistant General Manager

**SUBJECT: AUTHORIZE THE USE OF ANIMAL WELFARE TRUST FUNDS FOR STAFF
REGISTRATION AND TRAVEL ACCOMMODATIONS FOR THE HUMANE
SOCIETY OF THE UNITED STATES ANIMAL CARE EXPO 2019**

BOARD ACTION RECOMMENDED:

APPROVE the use of up to \$25,000 in Animal Welfare Trust Funds for travel accommodations for eleven employees to attend the Humane Society of the United States Animal Care Expo 2019.

BACKGROUND:

The Humane Society of the United States (HSUS) complements the work of local animal groups and animal rescue leagues by focusing on national-level issues like ending the puppy mill industry, strengthening cruelty laws and eliminating large-scale animal abuses. HSUS also manages programs and campaigns designed to ease the burden on community shelter groups. Animal Care Expo is the HSUS's annual conference for animal welfare professionals and volunteers, uniting animal care and sheltering experts and newcomers from around the globe.

The HSUS Animal Care Expo is the largest most progressive international education and training conference in the fields of animal welfare and control. The Expo provides outstanding networking and continuing education opportunities with attendees from animal welfare agencies and shelters across the globe.

SUMMARY:

The HSUS Animal Care Expo 2019 will be held in New Orleans, Louisiana, April 15-18, 2019, and will host a wide range of learning labs and more than 80 professional development workshops that will cover tracks including: Behavior, Cats, Global Animal Issues, In the Field,

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

Report to the Board of Animal Services Commissioners

SUBJECT: AUTHORIZE THE USE OF ANIMAL WELFARE TRUST FUNDS FOR STAFF
REGISTRATION AND TRAVEL ACCOMMODATIONS FOR THE HUMANE
SOCIETY OF THE UNITED STATES ANIMAL CARE EXPO 2019

Leadership, Marketing/Fundraising, People Power, Progressive Programs, Reaching Underserved Communities, Shelter Medicine and Small Budgets Big Results.

This exposition would provide an educational opportunity for staff to learn from experts, representatives from other government agencies and leaders in the field about what's new, challenges and solutions that are impacting the progressive animal care field. This educational opportunity will extend to others in the Department as the attendees will be asked to share the knowledge and information gained through attendance.

FISCAL IMPACT:

There is no fiscal impact to the General Fund.

Approved:



Brenda Barnette, General Manager

BOARD ACTION:

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

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
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: March 26, 2019

PREPARED BY: Brenda Barnette

REPORT DATE: March 19, 2019

TITLE: General Manager

**SUBJECT: RECOMMENDATION TO SUPPORT SENATE BILL NO. 258 (HERTZBERG) -
GRANTS FOR QUALIFIED HOMELESS SHELTERS FOR PETS AND
VETERINARY SERVICES**

BOARD ACTION RECOMMENDED:

1. **SUPPORT** State Senate Bill No. 258 (Hertzberg) – Grants for Qualified Homeless Shelters for Pets and Veterinary Services, also known as the House People with Pets Act; and
2. **AUTHORIZE** staff to transmit this recommendation to the Mayor and City Council for consideration of adoption in the form of a Resolution by the City Council with the concurrence of the Mayor.

BACKGROUND:

In February 2019, State Senator Bob Hertzberg introduced Senate Bill 258 (SB 258) which would appropriate \$5,000,000 from the State General Fund to develop and administer a program that would award grants to qualified homeless shelters that provide shelter, food and basic veterinary services for pets owned by homeless individuals.

SUMMARY:

The Department recognizes the importance of animal companionship for people regardless of their economic status and has taken strides in decreasing barriers which may hinder animal ownership, and has sought to find ways to provide services to people who may be experiencing homelessness. The Department partners with many non-profit organizations to provide services such as free or low cost spay and neuter services for animals whose owners are homeless, and in November 2018, the Board of Animal Services Commissioners approved a recommendation to revise the Los Angeles Municipal Code (LAMC) to allow animal ownership without the need of a permanent home address in an effort to better serve the homeless community. SB 258 would be

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

Report to the Board of Animal Services Commissioners

SUBJECT: RECOMMENDATION TO SUPPORT SENATE BILL NO. 258 (HERTZBERG) –
GRANTS FOR QUALIFIED HOMELESS SHELTERS FOR PETS AND VETERINARY
SERVICES

an added resource for people experiencing homelessness in the City of Los Angeles. It would require the Department of Community Services to develop a program that would award grants to qualified homeless shelters that meet the following conditions:

- Has rules of conduct and responsibility regarding pets and their owners;
- Provides crates or kenneling near bunks or in a separate area;
- Provides food for both homeless people and their pets; and
- Offers veterinarian services for the animals.

These services are beneficial for not only the animals, but their owners who would not be required to abandon their pets in exchange for shelter and assistance.

FISCAL IMPACT:

The support of SB 258 does not impact the General Fund.

Approved:

Brenda F. Barnette

Brenda Barnette, General Manager

Attachment: SB 258

BOARD ACTION:

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

Introduced by Senator Hertzberg

February 12, 2019

An act to add Section 12087.4 to the Government Code, relating to homeless shelters, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 258, as introduced, Hertzberg. Department of Community Services and Development: grants: homeless shelters: pets and veterinary services.

Existing law establishes the Department of Community Services and Development and requires the department to, among other things, mobilize public and private resources in support of antipoverty and community services programs.

This bill would require the department to develop and administer a program to award grants to qualified homeless shelters, as described, for the provision of shelter, food, and basic veterinary services for pets owned by homeless people. The bill would appropriate \$5,000,000 from the General Fund to the department for this grant program.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California is experiencing increased homelessness.
- 4 (b) According to Pets of the Homeless, of the 3,500,000
- 5 Americans who are homeless, 5 to 10 percent have dogs or cats.

1 (c) Many shelters, motels, and other assisted housing programs
2 do not permit animals on their property, pushing potential recipients
3 to live in cars, recreational vehicles (RVs), and tent camps.

4 (d) Being asked to abandon a pet is a major barrier to engaging
5 homeless persons to use services and is emotionally draining to
6 an already vulnerable population.

7 (e) Pets provide warmth, security, and companionship to many
8 who sleep on the streets. Pets also provide a type of normalcy, as
9 providing food and water for their pets helps some homeless
10 persons connect with reality.

11 (f) After surrendering a pet, owners reunite with their dogs only
12 15 percent of the time, while 60 percent or more of animals are
13 left in the animal shelter system and most will die.

14 (g) By providing services for pets whose owners are without a
15 home, both ends of the leash would be getting needed assistance.
16 More homeless people in need would be inclined to obtain medical
17 and living assistance, and the conditions for their pets would be
18 improved.

19 SEC. 2. Section 12087.4 is added to the Government Code, to
20 read:

21 12087.4. (a) The department shall develop and administer a
22 program to award grants to qualified homeless shelters for the
23 provision of shelter, food, and basic veterinary services for pets
24 owned by homeless people.

25 (b) For purposes of this section, a “qualified homeless shelter”
26 means a homeless shelter that meets all of the following conditions:

27 (1) It has rules of conduct and responsibility regarding pets and
28 their owners.

29 (2) It provides crates or kenneling either near bunks or in a
30 separate area.

31 (3) It provides food for both homeless people and their pets.

32 (4) It offers the services of a veterinarian, including spay and
33 neutering services.

34 (c) There is hereby appropriated from the General Fund to the
35 department the sum of five million dollars (\$5,000,000) for
36 purposes of providing grants pursuant to this section.

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
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: March 26, 2019

PREPARED BY: Brenda Barnette

REPORT DATE: March 19, 2019

TITLE: General Manager

**SUBJECT: RECOMMENDATION TO SUPPORT ASSEMBLY BILL NO. 366 (BLOOM) –
ANIMAL BLOOD, BLOOD COMPONENTS, AND BIOLOGICS**

BOARD ACTION RECOMMENDED:

1. **SUPPORT** State Assembly Bill No. 258 (Bloom) – Animal Blood, Blood Components and Biologics, also known as the California Pet Blood Bank Modernization Act; and
2. **AUTHORIZE** staff to transmit this recommendation to the Mayor and City Council for consideration of adoption in the form of a Resolution by the City Council with the concurrence of the Mayor.

BACKGROUND:

In February 2019, Assemblymember Richard Bloom introduced Assembly Bill (ASB 366) which would add sections to the Business and Professions Code and amend, repeal and add sections to the Food and Agriculture Code relating to animal health as a step in modernizing California's blood collection system for dogs and cats.

SUMMARY:

Animal blood banks can be critical to the health and well-being of an animal that has sustained a life-threatening injury or illness. In California, two commercial blood banks for animals produce blood and blood products under California licenses. Commercial blood banks for animals produce animal blood and blood products to market or sell for the use in the cure, mitigation, treatment or prevention of injury or disease in animals. California law prohibits the offering for sale or use of any animal blood and blood component product unless it is produced in an establishment licensed by the State and requires the registration of each blood and blood product being produced and sold.

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

The two California facilities operate 'closed colonies' which utilize the same dogs for blood draws for approximately 10 months, after which time they are placed in adoption programs. ASB 366 would allow the collection of animal donor blood through a community-based, voluntary setting. This has been successfully established in other cities and university systems, including the University of California Davis. A licensed veterinarian would be allowed to obtain donor blood subject to the following conditions:

- The licensed veterinarian obtains written consent from the owner of the dog or cat involved in the collection of blood and blood component products;
- The licensed veterinarian has determined that the production of blood and blood component products or biologics are safe and non-injurious to the dog or cat's health;
- The production of blood and blood component products or biologics is performed using methods of production to ensure that the dog or cat blood and blood component products will not be contaminated, dangerous or harmful;
- The licensed veterinarian maintains records containing information documenting how the dog or cat was acquired and any history of blood draws or use of anesthesia on the dog or cat; and
- The production of blood and blood component products or biologics complies with any applicable federal laws and regulations.

ASB 366 supports the humane treatment and welfare of blood donor animals and while providing a safe and reliable blood supply for animals in need of blood transfusions and other medical procedures.

FISCAL IMPACT:

The support of ASB 366 does not impact the General Fund.

Approved:



Brenda Barnette, General Manager

Attachment: ASM 366

BOARD ACTION:

_____ Passed Disapproved _____

_____ Passed with noted modifications Continued _____

_____ Tabled New Date _____ 2

ASSEMBLY BILL

No. 366

Introduced by Assembly Member Bloom

February 4, 2019

An act to add Article 7 (commencing with Section 4920) to Chapter 11 of Division 2 of the Business and Professions Code, and to amend, repeal, and add Section 9202 of the Food and Agriculture Code, relating to animal health.

LEGISLATIVE COUNSEL'S DIGEST

AB 366, as introduced, Bloom. Animals: blood, blood components, and biologics.

Existing law, the Veterinary Medicine Practice Act, provides for the licensure and regulation of veterinary medicine by the Veterinary Medical Board in the Department of Consumer Affairs. Existing law authorizes the Veterinary Medical Board to deny, revoke, or suspend a license or registration or assess a fine for a violation of specified acts, including the employment of anyone but a veterinarian licensed in this state to demonstrate the use of biologics in the treatment of animals.

Existing law prohibits a person from engaging in the production of animal blood and blood component products, as defined, for retail sale and distribution except in a commercial blood bank for animals licensed by the secretary and requires the Secretary of Food and Agriculture to license commercial blood banks for animals that meet specified requirements. Existing law prohibits a person from engaging in the production of biologics except as permitted under federal law. Existing law exempts licensed private veterinarians who collect blood or blood products solely for use in their own practice from these provisions regulating and licensing commercial blood banks for animals and

biologics. A violation of the act is a crime. Existing law defines animal, for the purposes of these provisions, as any domesticated fowl or nonhuman mammal and any wild fowl, bird, or mammal that is reduced to captivity. A violation of these provisions is a crime.

This bill, beginning on January 1, 2022, would change the definition of “animal,” for the purposes of the provisions related to commercial blood banks for animals, to exclude dogs and cats.

This bill, beginning on January 1, 2022, would authorize a licensed veterinarian to engage in the production of dog and cat blood and blood component products or biologics if specified conditions are met, including consent, safety, and record keeping requirements. This bill would otherwise prohibit any person from engaging in the production of dog and cat blood and blood component products or biologics. By expanding the scope of an existing crime with regard to violations of the Veterinary Medical Practice Act, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

The people of the State of California do enact as follows:

1 SECTION 1. Article 7 (commencing with Section 4920) is
2 added to Chapter 11 of Division 2 of the Business and Professions
3 Code, to read:

4
5 Article 7. Production of Blood, Blood Component Products,
6 and Biologics

7
8 4920. (a) For the purposes of this article:

9 (1) “Biologics” has the same meaning as defined in Section
10 9203 of the Food and Agriculture Code.

11 (2) “Blood and blood component products” has the same
12 meaning as defined in Section 9204 of the Food and Agriculture
13 Code.

(3) “Production” has the same meaning as defined in Section 9206 of the Food and Agriculture Code.

(b) Notwithstanding any other law, a licensed veterinarian may engage in the production of dog and cat blood and blood component products or biologics if all of the following conditions are met:

(1) The licensed veterinarian obtains written consent from the owner of the dog or cat involved in the collection of blood and blood component products.

(2) The licensed veterinarian has determined that the production of blood and blood component products or biologics is safe and noninjurious to the dog or cat’s health.

(3) The production of blood and blood component products or biologics is performed using methods of production to ensure that the dog or cat blood and blood component products will not be contaminated, dangerous, or harmful.

(4) The licensed veterinarian maintains records containing information documenting how the dog or cat was acquired and any history of blood draws or use of anesthesia on the dog or cat.

(5) The production of blood and blood component products or biologics complies with any applicable federal laws and regulations, including Section 151 and following of Title 21 of the United States Code.

(c) A violation of this section shall constitute a cause for discipline by the board pursuant to Section 4875.

(d) Except as provided in subdivision (b), a person shall not engage in the production of dog and cat blood and blood component products or biologics.

(e) This section shall become operative on January 1, 2022.

SEC. 2. Section 9202 of the Food and Agricultural Code is amended to read:

9202. (a) “Animal” includes, but is not limited to, any domesticated fowl or nonhuman mammal and any wild fowl, bird, or mammal that is reduced to captivity.

(b) *This section is repealed as of January 1, 2022.*

SEC. 3. Section 9202 is added to the Food and Agricultural Code, to read:

9202. (a) “Animal” includes any domesticated fowl or nonhuman mammal and any wild fowl, bird, or mammal that is reduced to captivity, but does not include dogs or cats.

1 (b) This section shall become operative on January 1, 2022.
2 SEC. 4. No reimbursement is required by this act pursuant to
3 Section 6 of Article XIII B of the California Constitution because
4 the only costs that may be incurred by a local agency or school
5 district will be incurred because this act creates a new crime or
6 infraction, eliminates a crime or infraction, or changes the penalty
7 for a crime or infraction, within the meaning of Section 17556 of
8 the Government Code, or changes the definition of a crime within
9 the meaning of Section 6 of Article XIII B of the California
10 Constitution.

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

ALISA FINSTEN

JOSE SANDOVAL

ROGER WOLFSON

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
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: March 26, 2019

PREPARED BY: Brenda Barnette

REPORT DATE: March 19, 2019

TITLE: General Manager

**SUBJECT: RECOMMENDATION TO SUPPORT ASSEMBLY BILL NO. 588 (CHEN) – DOG
BITE REPORTING REQUIREMENTS**

BOARD ACTION RECOMMENDED:

1. **SUPPORT** State Assembly Bill No. 588 (Chen) – Disclosure of Dog Bites; and
2. **AUTHORIZE** staff to transmit this recommendation to the Mayor and City Council for consideration of adoption in the form of a Resolution by the City Council with the concurrence of the Mayor.

BACKGROUND:

In February 2019, Assemblymember Phillip Chen introduced Assembly Bill (ASB 588) which would add sections to the Food and Agricultural Code relative to dog bite disclosure requirements at animal shelters.

SUMMARY:

In order to place animals in the best, permanent home, it is important that information about them including behavioral traits such as their bite history be disclosed to potential adopters. As a best practice, Los Angeles Animal Services uses this information when working with potential adopters to place dogs in the best environment for their temperament. ASB 588 would make this a requirement for all animal control agencies or shelters, society for the prevention of cruelty to animals shelters or rescue groups. If the agencies are aware that an adult dog has bitten a person and broke that person's skin, the agency would be required to disclose the dog's bite history and any additional information known about the dog, including a history of exhibiting signs of food aggression and information about the bite victim or other circumstances related to the bite before the dog is sold, adopted or otherwise released to someone else.

"Creating a Humane LA"

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

Report to the Board of Animal Services Commissioners


SUBJECT: RECOMMENDATION TO SUPPORT ASSEMBLY BILL NO. 588 (CHEN) – DOG
BITE REPORTING REQUIREMENTS

By ensuring that bite history information is disclosed to potential adopters, ASB 588 benefits the adopters and their companion animals.

FISCAL IMPACT:

If ASB 588 is approved, violators of this law would be subject to a fine of up to \$500. These funds may be deposited into the City's General Fund Account.

Approved:


Brenda Barnette, General Manager

Attachment: ASM 588

BOARD ACTION:

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

ASSEMBLY BILL

No. 588

Introduced by Assembly Member Chen

February 14, 2019

An act to add Sections 30503.5 and 30526 to the Food and Agricultural Code, relating to animal shelters.

LEGISLATIVE COUNSEL'S DIGEST

AB 588, as introduced, Chen. Animal shelters: disclosure: dog bites.

Existing law governs the operation of animal shelters by, among other things, setting a minimum holding period for stray dogs, cats, and other specified animals, and requiring animal shelters to ensure that those animals, if adopted, are spayed or neutered.

This bill would require an animal shelter, which would be defined to include a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group, that knows that an adult dog bit a person and broke that person's skin, to, before selling, giving away, or otherwise releasing the dog, disclose in writing to the person to whom the dog is released the dog's bite history and other relevant information. The bill would make a violation of this law punishable by a \$500 fine and would require the proceeds of that fine to be paid to either the local public animal control agency or shelter or the city or county, depending on whether the fine was committed by a public or private entity.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

The people of the State of California do enact as follows:

1 SECTION 1. Section 30503.5 is added to the Food and
2 Agricultural Code, to read:

3 30503.5. (a) For purposes of this section:

4 (1) "Animal shelter" means a public animal control agency or
5 shelter, society for the prevention of cruelty to animals shelter,
6 humane society shelter, or rescue group.

7 (2) "Rescue group" means a for-profit or not-for-profit entity
8 or a collaboration of individuals that removes dogs from a public
9 animal control agency or shelter, society for the prevention of
10 cruelty to animals shelter, or humane shelter, or rehomes a dog
11 that has been previously owned by any person other than the
12 original breeder of that dog.

13 (b) If an animal shelter knows that an adult dog bit a person and
14 broke that person's skin, the animal shelter shall, before selling,
15 giving away, or otherwise releasing the dog, disclose the following
16 in writing to the person to whom the dog is sold, given away, or
17 transferred:

18 (1) The dog's known bite history.

19 (2) Any additional information that is known to the animal
20 shelter about the dog, including, but not limited to, food aggression,
21 the bite victim, and any other circumstances related to the bite, to
22 the best knowledge of the animal shelter.

23 (c) Notwithstanding Sections 31401 and 31402, any violation
24 of this section shall be punished by a fine not to exceed five
25 hundred dollars (\$500). If the person who violates this section is
26 a society for the prevention of cruelty to animals shelter, humane
27 society shelter, or rescue group, the proceeds of the fine shall be
28 paid to the local public animal control agency or shelter. If a public
29 animal control agency or shelter violates this section, the proceeds
30 of the fine shall be deposited into the treasury of the city or county
31 in which the public animal control agency or shelter is located.

32 SEC. 2. Section 30526 is added to the Food and Agricultural
33 Code, to read:

34 30526. (a) For purposes of this section:

(1) "Animal shelter" means a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group.

(2) "Rescue group" means a for-profit or not-for-profit entity or a collaboration of individuals that removes dogs from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane shelter, or rehomes a dog that has been previously owned by any person other than the original breeder of that dog.

(b) If an animal shelter knows that an adult dog bit a person and broke that person's skin, the animal shelter shall, before selling, giving away, or otherwise releasing the dog, disclose the following in writing to the person to whom the dog is sold, given away, or transferred:

(1) The dog's known bite history.

(2) Any additional information that is known to the animal shelter about the dog, including, but not limited to, food aggression, the bite victim, and any other circumstances related to the bite, to the best knowledge of the animal shelter.

(c) Notwithstanding Sections 31401 and 31402, any violation of this section shall be punished by a fine not to exceed five hundred dollars (\$500). If the person who violates this section is a society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group, the proceeds of the fine shall be paid to the local public animal control agency or shelter. If a public animal control agency or shelter violates this section, the proceeds of the fine shall be deposited into the treasury of the city or county in which the public animal control agency or shelter is located.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.