



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

REGULAR MEETING AGENDA
Tuesday, June 25, 2019
7:00 P.M.

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

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.

FACILITY TOUR OF HARBOR ANIMAL SERVICES CENTER

Commission Tour of Harbor Animal Services Center (starts at 6:15 p.m.). Public is welcome. The Commission meeting will begin promptly at 7:00 p.m.

I. WRIT OF MANDATE – BOARD DELIBERATION

1. **Dangerous Animal Case: DA 181136 EV**
Appellant(s): Kristina Yasmin Miller
East Valley Animal Services Center: Lt. Jose Gonzalez
Complaining Witness: Ileana Melania Gasman and Eugeniu Gasman

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 the Minutes for Meeting of June 11, 2019. (Action Item)

- 4. ORAL REPORT OF THE GENERAL MANAGER**

- 5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS**

- 6. BOARD REPORTS**

A. Support of Good Food Purchasing Program – Vegan Protein Options for Food Concessionaires; Reference Council File No. 11-1678-S3. (Action Item)

B. Discussion on dog limits in the City of Los Angeles; Reference Council File No. 17-1237-S1. (Information Item)

- 7. ADJOURNMENT**

Next Regular Meeting is scheduled for 9:00 A.M., July 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.

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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 11, 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
Alisa Finsten
Jose Sandoval
Roger Wolfson

Meeting called to order at 9:29 a.m. Commissioners present were García, Gross and Wolfson. Also present from Los Angeles Animal Services (LAAS) was General Manager (GM) Brenda Barnette, Assistant General Manager (AGM) MeLissa Webber, Board Secretary, LaTonya Dean and Assistant City Attorney (ACA) Dov Lesel.

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

I. WRIT OF MANDATE – BOARD DELIBERTATION

1. Dangerous Animal Case: DA 181136 EV

Appellant(s): Kristina Yasmin Miller

East Valley Animal Services Center: Lt. Jose Gonzalez

Complaining Witness: Ileana Melania Gasman and Eugeniu Gasman

ACA Lesel reported that the case had been returned to the Board to make findings pursuant to LAMC 53.18.5q, specifically subsections 8 and 9. He then described the reason the Writ was granted and what actions were required by the Board.

Commissioner Gross made a motion to table the item until July 9, 2019 and directed staff to provide additional materials relative to the case and the court's decision.

Commissioner Wolfson seconded and the motion was approved by a vote of 3-0.

Ayes: García, Gross and Wolfson

Noes: None.

Absent: Finsten and Sandoval

Public Comment:

Marla Tauseler spoke on behalf of her client Kristina Miller and discussed the details of the Writ.

II. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Marla Tauseler spoke about the Commissioners arriving on time and attendance and about the writ of mandate that was on the agenda.

Michelle Kelly spoke about the number of rabbits that flow through shelters in Los Angeles County and described how rabbit adoptions were dependent on volunteers. She also clarified that she didn't mean to suggest that rabbits not be included in spay and neuter, but that the mortality rate be considered somehow.

Sharon Tydell believed the solution to rabbit fostering is to use rabbit rescues that could help with fostering and adoptions. She also thanked the general manager for not lowering the price of adoptions.

David Moskowitz spoke about the type of fundraising volunteers had done for the rabbits in the animal services centers as well as how they help facilitate relationships with the best local vets.

Daniel Gus played a video he stated was of a guard dog that was in a car on a hot day. He also spoke about a public records request he submitted to the Department in February.

Lisa Edmondson spoke about Captain Nancy Moriarty and the work she did for rabbits. She also referenced past issues related to rabbits at the Harbor Animal Services Center.

Phyllis Daugherty asked the Board not to forget that rabbits are not classified as pets by the City of Los Angeles. She also spoke about revoking dog licenses for behavior issues.

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 May 28, 2019.

Public Comment:
None.

Commissioner Wolfson moved to approve the minutes of May 28, 2019. **Commissioner García** seconded and the motion was approved by a unanimous vote of 3-0.

Ayes: García, Gross and Wolfson

Noes: None.

Absent: Finsten and Sandoval

4. ORAL REPORT OF THE GENERAL MANAGER

GM Barnette discussed the following:

- A letter went out to Department staff providing information about reporting misconduct or inappropriate behavior in the workplace.
- The Department will be bringing Dr. Feldman back to assist with bunny spay and neuter.
- Adan Lozoya, Animal Control Technician, passed away on Saturday, June 9th. He was a long-time Department employee and he leaves behind a brother who works for the Department as well.
- The IT Supervisor's husband had a medical emergency and she will be assisting with his recovery. This may delay delivery of some requested reports.
- The Department is still in possession of the dogs that were involved in the RV chase because the information on the dogs' microchips was not updated.
- GM Barnette spoke about the requirements involved with dogs that are declared dangerous and about decisions to revoke dog owners' licenses.
- The SMART team responded to a horse that was stuck in the mud at Hansen Dam. The SMART team along with the Fire Department was able to assist the horse which walked home once it was rescued.
- Dogs Playing for Life completed their in-house residency training at Chesterfield Square Animal Services Center.
- At the request of LADWP, the Department sent an officer to instruct a class on how to prevent dog bites and what to do if a dog bite occurs.
- The Department has been assisting with the Dogs! Exhibit at the California Science Center where staff has been demonstrating animal rescue equipment.
- West Los Angeles and Harbor Animal Services Centers hosted Girl Scouts Troops who put together adopter bags and spent time with the animals.
- GM Barnette sent a letter to the Los Angeles Unified School District requesting that their Board reconsider having classroom science projects that involve bunnies as well as the selling of bunnies. She thanked Lisa Edmondson for bringing it to the Department's attention.

- GM Barnette spoke about the live-save rates for each shelter. She also spoke about the increase in volunteers and volunteer hours.
- AGM Watson attended Robert Cabral training at the West Los Angeles facility.

Public Comment:

Phyllis Daugherty was glad that Dr. Feldman is coming back to assist with the spaying and neutering of rabbits. She also spoke about Guillermo Pera and his brother Adan Lozoya who had recently passed away.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Wolfson: Passed.

Commissioner García: Passed.

Commissioner Gross: In light of the number of horses that recently died at the Santa Anita racetrack, Commissioner Gross requested staff to bring forth a report regarding Senate Bill 469 requesting the suspension of horse race licensing. He also requested a report on how the Department is handling Public Records Act Requests.

Public Comment:

Phyllis Daugherty suggested that the Commissioners review previous reports submitted to the Board and recommended they request copies of Department policies.

6. Board Reports

A. None.

7. ADJOURNMENT

Meeting ended at 10:18 a.m.

MOTION

HEALTH, EDUCATION AND NEIGHBORHOOD COUNCIL

The popularity of vegan food is exploding worldwide for a variety of reasons including greenhouse gas emission reduction, animal welfare, and air and water quality issues associated with industrial/agricultural meat production. There is also growing awareness of the positive human health impacts of plant-based diets; and the increasing availability of highly palatable vegan food in restaurants and food stores.

According to a recent survey, "Top Trends in Prepared Foods 2017," there has been a 600 percent increase from 2014 to 2017 in the number of Americans who identify as vegan. The global market for vegan alternatives to cow's milk is expected to reach \$16.3 billion in 2018.

A vegan lifestyle has become so popular that most restaurants know that they need to offer vegan meals. Grubhub recently named vegan food the "hottest delivery trend" and the National Restaurant Association President has said, "Any restaurant that does not serve vegan food is burning money. Everyone knows that the vegan chooses where the group eats."

Co-working company WeWork recently affirmed its identity as a leading sustainable business by banning meat from its events and no longer reimbursing employee meals containing meat - noting that the policy would save "an estimated 16.7 billion gallons of water, 445.1 million pounds of CO₂ emissions, and over 15 million animals by 2023.

The City of Los Angeles has become well-known as environmentally conscious and has embraced vegan living. According to the longtime online vegan restaurant and store guide, Happy Cow, the City has over 400 vegan businesses. PETA (People for the Ethical Treatment of Animals) ranked the City number one on its list of the Top 10 Vegan-Friendly Cities.

The City's Good Food Purchasing Policy - which supports City departments in procuring nutritious, sustainable, fair, local and humane food - promotes vegan meal options as a best practice for meeting the following standards: animal welfare, environmental sustainability and nutrition.

The Oakland Unified School District achieved the 3 star level of the Good Food Purchasing Program and realized cost savings by offering more vegan and plant-based options. Additionally, in 2012, the City Council approved a Meatless Mondays resolution encouraging Angelenos to reduce their consumption of meat.

Vegan eating is an effective lifestyle change which the University of Oxford found would have the greatest possible impact on the environment. In the United States alone, if more people adopted plant-based eating, it could cut greenhouse-gas emissions from food sources by nearly 70 percent.

In addition, animal-based agriculture is not sustainable. On average, it provides just 18 percent of caloric intake, but uses 83 percent of available farmland, while causing 60 percent of agriculture's harmful greenhouse-gas emissions.

Global farmland use could be reduced by more than 75 percent - an area equivalent to the size of Australia, China, the European Union and the U.S. combined - and still feed the entire world, if everyone went vegan.

Even the "lowest impact" beef, such as that from grass-fed cows, is still responsible for six times more greenhouse-gas emissions and 36 times more land use than raising legumes. According to the United Nations, a global shift toward vegan eating is necessary to combat the worst effects of climate change.

Yet not all of the entertainment venues citywide, nor the City's facilities and concessionaires, including some at Los Angeles World Airports (LAWA), provide vegan protein options in their menus. Nearly 85 million travelers passed through LAX last year. Conservatively, if 6% of people are vegan, then up to 5 million people passing through LAX are seeking high-quality plant-based food options.

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As an international leader in health, food, environmental and animal rights policy, the City should ensure that vegan protein options are widely available to meet the needs of all. City departments can improve their standing within the City's Good Food Purchasing Program by reducing meat from menus and offering more vegan and plant-based options.

I THEREFORE MOVE that the Department of Recreation and Parks, the Zoo and other relevant departments be directed to report back in 45 days on the vegan protein entrée options available at City concessionaire locations; and ways to ensure that these options are available on an ongoing basis.

I FURTHER MOVE that the Department of Aging be directed to report back in 45 days on the vegan protein entrée food options available for the Meals on Wheels program, food programs for seniors, ways to ensure that these options will be available on an ongoing basis, and the cost savings for doing so.

I FURTHER MOVE that the Los Angeles World Airports (LAWA) be requested to report back in 45 days on the feasibility of adding food concessionaires to each terminal with a plant-based menu; and of having all other restaurants at LAX provide, at a minimum, one easily-identifiable vegan protein entrée.

I FURTHER MOVE that the Chief Legislative Analyst, Department of Recreation and Parks, the Zoo and the City Attorney report back on drafting an ordinance to require movie theaters and large-scale entertainment venues in the City, which provide food for sale, provide at a minimum one vegan protein entrée food option on their menus.

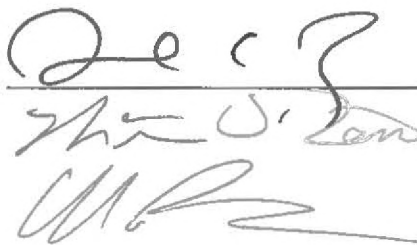
PRESENTED BY:



PAUL KORETZ

Councilmember, 5th District

SECONDED BY:



ORIGINAL

MOTION

The Los Angeles Municipal Code (LAMC) defines “kennels” in three separate sections. One is the definition in Section 12.03 of the Planning and Zoning Code (Zoning Code) which specifically refers to kennels for dogs. Another is a definition of “cat kennels” in Section 53.00 of the Code. Still another is a separate definition of “dog kennels” in Section 53.00 of the Code.

The Zoning Code’s dog kennel definition is not identically worded, but is roughly the same as that in Section 53.00. Both definitions explicitly refer to the number and age of dogs as determinants for what constitutes a kennel. Other sections of the Zoning Code regulate where kennels may be located. Recent interpretations of these regulations have clearly indicated that the term “kennel” is understood as referring to both cat and dog kennels even though only dog kennels are referred to in Section 12.03.

At this time, the kennel definition also serves as the mechanism for determining the number of dogs which may be kept in a private household, a mechanism which almost no other jurisdiction in Los Angeles County employs for that purpose. Cats are similarly regulated by the cat kennel definition in Section 53.00.

Because kennels are prohibited in residential areas, it can be argued that their relationship to how many companion animals should be allowed in a household is circumstantial at best. In order to facilitate that the household limit on dogs not be a function of how commercial or boarding kennels are defined and where they may be located, in place of a prior proposal to delete the definition per Council File 17-1237, the definition of “Kennel” in Section 12.03 should be changed to focus on kennels used by for-profit or non-profit entities for commercial or business purposes.

Importantly, taking this step requires that specific limits for the number of dogs and cats in households must be added to Section 53 to complement the contemplated change in how kennels are defined in Section 12.03 and ensure continuity of regulation. It also requires that the definitions of dog and cat kennels in Section 53.00 of the LAMC also be amended to match any revised definition in Section 12.03 as well as any steps necessary to ensure that the definition of “pet shop” in Section 53.00 matches that in Section 12.03.

The Board of Animal Services Commissioners should undertake public discussions and make recommendations to the City Council as to how to proceed regarding the household pet limits. These discussion must take into full account an ongoing California Environmental Quality Act process regarding a “Citywide Cat Program” that must be

completed before any consideration of changing the current limit of three cats per household could be undertaken.

I THEREFORE MOVE that the City Council initiate an ordinance to amend the definition of “kennel” in Section 12.03 of the Los Angeles Planning and Zoning Code 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, including adding “cats” if doing so is deemed appropriate and/or useful; and

I FURTHER MOVE that the City Council instruct the Los Angeles Department of Animal Services and the Board of Animal Services Commissioners to immediately undertake a public process to make recommendations to the City Council for the initiation of an ordinance adding specific per household dog and cat limits to Section 53, amending the dog and cat kennel definitions in Section 53.00 of the Los Angeles Municipal Code to resolve any differences in language with the proposed revision of the kennel definition in Section 12.03, 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 this motion.

PRESENTED BY:



PAUL KORETZ

Councilmember, 5th District

SECONDED BY:



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