



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

REGULAR MEETING AGENDA
Tuesday, July 23, 2019
7:00 P.M.

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

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 CHESTERFIELD SQUARE ANIMAL SERVICES CENTER

Commission Tour of 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 the Meeting of July 9, 2019. (Action Item)
- B. Election of Board Officers. (Action item)
Item will be continued to the next meeting

4. ORAL REPORT OF THE GENERAL MANAGER

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

6. BOARD REPORTS

- A. Opposition to Horse Racing in the State of California. (Action Item)
- B. Update on the Department of Animal Services License Renewal Process and ACE Citations. (Information Item)
- C. Discussion on the California Public Records Act Request Processing. (Information Item)
- D. Discussion on Rabbit Fostering. (Information Item)
- E. Discussion on Owner Surrender Questionnaire Procedures. (Information Item)
- F. Update on Reported Urine Smells at Los Angeles Animal Services Centers. (Information Item)
- G. 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., August 13, 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

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

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, July 9, 2019 at 9:00 AM

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

Audio MP-3 recording is not available at www.laanimalservices.com due to technical issues

Larry Gross, President
Olivia E. García, Vice President
Alisa Finsten
Jose Sandoval
Roger Wolfson

Meeting called to order at 9:09 a.m. Commissioners present were Finsten, Gross, García, and Wolfson (9:11 a.m.). 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) Dov Lesel.

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

I. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Michelle Kelly hoped that people could come up with suggestions for the rabbit population in the shelters. She suggested the Department consider increasing the amount reimbursed to veterinarians for rabbit spay and neuter surgeries in order to cover their overhead.

Barbara Trelease invited everyone to visit the West Los Angeles shelter to visit bunnies and get rabbit education. She also invited everyone to visit the rabbit mobile at Centinela Feed & Pet Supplies in Mar Vista. There is a lot of education to be had and the services there include speed dating with rabbits and nail trims.

Phyllis Daugherty has been working with Michelle Kelly and they have completed spay and neuter videos for rabbits. Also, she planned to continue talks with Dr. Vasquez about the potential for doing more relative to spay and neuter for rabbits.

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 the Meeting of June 25, 2019.

Commissioner Wolfson moved to approve the minutes of June 25, 2019. **Commissioner García** seconded and the motion was approved by a unanimous vote of 4-0.

Ayes: Finsten, García, Gross and Wolfson

Noes: None.

Absent: Sandoval

4. ORAL REPORT OF THE GENERAL MANAGER

GM Barnette discussed the following:

- On June 29th, the Department conducted a Bottle Baby Foster Orientation at the Cypress Park Library.
- On June 30th the SMART team attended the 4th Annual Foothills District Equine Fair. The team spoke with attendees about how large animals get rescued and were able to microchip 15 horses and one goat.
- The Four Days for Life program was held between June 29th through July 3rd. During the campaign 182 animals were fostered and there were 376 animal adoptions.
- The Department received a \$5,000 grant from Maddie's Fund for the Free Ride Home Program. The program is an incentive for dog owners to license and microchip their dogs.
- **GM Barnette** reported that she had received a number of positive notes from staff and volunteers who participated in the Loehr Behavioral Training which took place last week.

Commissioner Gross asked about the fostering program (Four Days for Life) and if it was run from all six shelters. **GM Barnette** responded that it was and provided details about the program including its history.

Public Comment:

Phyllis Daugherty stated that officers have always taken dogs home before the 'Free Ride Home' program was implemented. She also stated that the reason the Department had too many kittens is because unweaned kittens were supposed to be euthanized. By not doing so the adult cats are not being adopted.

- UCLA Law School will be conducting a training on dog bite investigations and the sign-ups are at near capacity.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Finsten: Passed.

Commissioner García: Passed.

Commissioner Wolfson: Requested a report on horse racing at the next Board meeting. **GM Barnette** suggested reaching out to a Councilmember in order to have it processed more expeditiously, considering the Department's limited resources to write reports. Commissioners Gross and Wolfson agreed that the item could be listed on the next agenda for action with a copy of the signed bill and that a staff report was not necessary.

Commissioner Gross: Wanted to give a shout out to the SMART team and the work they do to save animals. He specifically highlighted two recent videos that showed the team rescuing a baby skunk and a young raccoon that was entangled in a basketball goal net.

Public Comment:
None.

6. Board Reports

- A. Update on Implementation of "Capacity for Care" (C4C) Recommendations at the Chesterfield Square Animal Services Center.

AGM Webber spoke about the changes that were implemented relative to the program, specifically cat housing, steps taken to decrease length of stay and managed intake. Some changes included the modification of cat cages, the addition of portals to increase capacity, and room assignment changes. The goal was to make sure that cats and rabbits were at the front of the shelter for increased visibility and also to match the population of the room. **Commissioner Gross** asked which shelters had intervention partners. **AGM Webber** responded that they were located at the North Central, East Valley and Chesterfield Square Animal Services Centers. **GM Barnette** spoke about the type of help the partners provide and **Commissioner Gross** restated their importance. **Commissioner García** asked how often the intervention programs were at the shelters. **AGM Webber** responded that they were at the centers five days a week. **Commissioner García** also inquired if the Department was able to track any changes from the implementation of the C4C program. **AGM Webber** and **GM Barnette** explained some the challenges with tracking. **Commissioner García** asked if the Department still had a three day hold for kittens. **AGM Webber** responded that it did not and that staff was looking at expanding it.

Public Comment:
Michelle Kelly spoke about a re-home handout that was distributed.

Phyllis Daugherty asked about where the animals that should be isolated were moved to, if the room was being used for something else. She also spoke about tracking the number of animals that are staying in the home after adoption.

Commissioner Gross asked what happens now that the isolation room was being used for another purpose. **AGM Webber** noted that she did not have her notes, but she believed those animals were being housed in the observation room.

Lisa Edmondson stated she was concerned about the relocation of the rabbit room. She further discussed ensuring that the Department had appropriate space for rabbits.

- B. Acceptance of a \$100,000 Donation from the Annenberg Foundation into the Animal Welfare Trust Fund for Charitable Purposes of the City of Los Angeles Department of Animal Services.

Public Comment:
None.

Commissioner Finsten moved to approve the acceptance of a \$100,000 donation from the Annenberg Foundation into the Animal Welfare Trust Fund for charitable purposes. **Commissioner García** seconded and the motion was approved by a unanimous vote of 4-0.

Ayes: Finsten, García, Gross and Wolfson

Noes: None.

Absent: Sandoval

- C. Authorize the Use of Animal Welfare Trust Fund for the Installation of Artificial Turf in the Small Play Yard at the West Valley Animal Services Center.

Public Comment:
None.

Commissioner Wolfson moved to authorize the use of the Animal Welfare Trust Fund for the installation of artificial turf in the small play yard at the West Valley Animal Services Center. **Commissioner Finsten** seconded and the motion was approved by a unanimous vote of 4-0.

Ayes: Finsten, García, Gross and Wolfson

Noes: None.

Absent: Sandoval

- D. Recommendation to Support Assembly Bill No. 415 (Maienschein) – Victim Compensation for Relocation with Pets

Public Comment:
None.

Commissioner Wolfson moved to support Assembly Bill No. 415.
Commissioner García seconded and the motion was approved by a unanimous vote of 4-0.

Ayes: Finsten, García, Gross and Wolfson

Noes: None.

Absent: Sandoval

7. ADJOURNMENT

Meeting ended at 9:51 a.m.

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:



DEC 13 2017