



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

REGULAR MEETING AGENDA
Tuesday, February 22, 2022
9:30 A.M.

Dial (669) 900-6833 to Join the Meeting and use Webinar ID No. 924 0973 8421 and then Press #. Press # again when prompted for participant ID.

LARRY GROSS
President

OLIVIA E. GARCÍA
Vice-President

JILL COHEN
ALISA FINSTEN
JOSE SANDOVAL

In conformity with State Assembly Bill 361 and due to concerns over COVID-19, the Board of Animal Services Commission meeting will be conducted entirely telephonically and using Zoom software.

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To make your request please call (213) 482-9558. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.

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

Members of the public who wish to offer public comment to the Board of Animal Services Commission should call (669) 900-6833 and use Webinar ID No. 924 0973 8421 and then press #. Press # again when prompted for participant ID. Instructions on how to sign up for public comment will be given to listeners at the start of the meeting.

I. 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)

Note: The Brown Act prohibits the Board and staff from discussing a 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. Findings to Continue Teleconference Meetings Pursuant to Assembly Bill 361 / Government Code Section 54953(e)(3) (Action Item; Public comment limited to one minute per speaker)

Determination in accordance with AB 361 [Government Code Section 54953(e)(3)] that, while the state of emergency due to the COVID-19 pandemic, as originally proclaimed by the Governor on March 4, 2020, remains active and state or local officials have imposed or recommended measures to promote social distancing, the Board has reconsidered the circumstances of the state of emergency and that the state of emergency continues to directly impact the ability of the Board members to meet safely in person and state or local officials continue to impose or recommend measures to promote social distancing.

- B. Approval of Minutes for the Meeting of February 8, 2022 (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. Adoption of Rules and Regulations for Cat Trapping Permits (Action Item; Public comment limited to one minute per speaker)

Determine that the adoption of the below rules and regulations is exempt under the California Environmental Quality Act (CEQA) pursuant to City of Los Angeles CEQA Guidelines, Article II, Section 2.i, as an activity for which the underlying project has been previously been evaluated for environmental significance and processed according to CEQA, and is in furtherance of an already-approved project that does not substantially change the overall project; and Adopt rules and regulations for the trapping, sterilization, and return of a free-roaming cat to the location where it was found and for the trapping and surrender of a cat to the Department, pursuant to a trapping permit issued by the Department, and which shall supersede any previously promulgated rules and regulations for cat trapping.

B. Recommendation to Support Senate Bill 879 - P.E.T. (Prohibiting Extraneous Testing) Act (Action Item; Public comment limited to one minute per speaker)

7. ADJOURNMENT

Next Regular Meeting is scheduled for 9:30 a.m., March 8, 2022

AGENDAS - The Board of Animal Services Commissioners (Board) meets regularly every second (2nd) and fourth (4th) Tuesday of each month at 9:30 A.M. For the duration of the COVID-19 emergency, the Board will meet telephonically and using Zoom software in conformity with the Governor's Executive Order N-29-20 (March 17, 2020). 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 <https://www.laanimalservices.com/about-us-2/commission/#three>

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. Each speaker will be granted a maximum of two minutes and the presiding officer reserves the ability to extend or limit the time depending on the circumstances of the meeting.

Notice to Paid Representatives. If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code §§ 48.01 *et seq.* More information is available at ethics.lacity.org/lobbying. For assistance, please contact the Ethics Commission at (213) 978-1960 or ethics.commission@lacity.org.

Time Limit for Speakers. Speakers addressing the Board will be limited to one (1) minute of speaking time for each agenda item except during the general public comment period, which is limited to two (2) minutes per speaker (For certain agenda items, speakers will have two (2) minutes each).

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, February 8, 2022 at 9:30 AM**

VIRTUAL ZOOM MEETING

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

Larry Gross, President
Olivia E. García, Vice President
Jill Cohen
Alisa Finsten
Jose Sandoval

Meeting called to order at 9:31 a.m. Commissioners present were Gross, García, Cohen, Finsten, and Sandoval. Also present from Los Angeles Animal Services (LAAS) was General Manager (GM) Dana Brown, Assistant General Manager (AGM) Curtis Watts, Assistant General Manager (AGM) Annette Ramirez, Board Secretary Francine Acuña, and Deputy City Attorney Steve Houchin.

Commissioner Gross opened the meeting, introduced staff, provided an overview of the meeting agenda, and provided instructions to the public on how to make public comments for this virtual meeting.

I. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Public Comment was made by:

- **Michelle Cornelius** - spoke about a dog named Pepe who was orange alerted and suggested that the Department find a way to provide rescues with real time updates on animals.
- **Whitney Smith** - asked for the Department's protocols for severely sick and injured animals that come into the shelter and spoke about the bad customer service she experienced at the South LA shelter.
- **Cathy Serksnas** - followed up on concerns from the last Commission meeting, asked for clarification regarding the number of volunteers worked and stated that more information needs to be given for animals on the orange alert list.
- **Nancy** - spoke about an incident where she was injured by a dog at the Harbor shelter.
- **Paula** - spoke about a dog named Aesop who was found dead in his kennel at the West Valley shelter and spoke about the volunteer program.
- **Gail Raff** - asked for clarification on the number of veterinarians at the shelters and asked for an update on the Community Cat Program.
- **Lisa Pearson** - spoke about a dog named Paxton at the Harbor shelter and the expressed that housing an animal in a cage for months is inhumane and

- prefers euthanasia.
- **Unknown** - spoke about the Community Cat Program.
- **Jeff Mausner** - spoke about the no-kill guidelines and explained how important it is to have no-kill in place to keep the animals alive and also encouraged the public to contact their City Council members to increase funding for spay/neuter.

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. Findings to Continue Teleconference Meetings Pursuant to Assembly Bill 361 / Government Code Section 54953(e)(3) (Action Item; Public comment limited to one minute per speaker)

Determination in accordance with AB 361 [Government Code Section 54953(e)(3)] that, while the state of emergency due to the COVID-19 pandemic, as originally proclaimed by the Governor on March 4, 2020, remains active and state or local officials have imposed or recommended measures to promote social distancing, the Board has reconsidered the circumstances of the state of emergency and that the state of emergency continues to directly impact the ability of the Board members to meet safely in person and state or local officials continue to impose or recommend measures to promote social distancing.

Commissioner Gross moved to approve in determining accordance with Government Code Section 54953(e)(3) that this Board has reconsidered the circumstances of the COVID-19 state of emergency and that the state of emergency continues to directly impact the ability of the Board to meet safely in person and state or local officials continue to impose or recommend measures to promote social distancing.

Commissioner Sandoval seconded and the motion was approved by a vote of 5-0.

Ayes: Gross, García, Cohen, Finsten, and Sandoval.

Noes: None.

Absent: None.

Public Comment was made by:

- **Whitney Smith** - stated the Commission meetings should be allowed to meet in person.

B. Approval of the Minutes for Meeting of January 25, 2022.

Commissioner Sandoval moved to approve the minutes for the meeting of January 25, 2022.

Commissioner Cohen seconded and the motion was approved by a vote of 5-0.

Ayes: Gross, García, Cohen, Finsten, and Sandoval.

Noes: None.

Absent: None.

Public Comment:
None

4. ORAL REPORT OF THE GENERAL MANAGER

GM Dana Brown discussed the following:

- Update on resignations of two staff members. The Department is advertising to fill the veterinarian position at the Harbor shelter and is looking for a new volunteer coordinator to run the volunteer program.
- Provided an explanation on employees' use of vacation time.
- Update on Community Cat Program: The Department is working on updating the trapping permits so that they are consistent with the EIR and the TNR program that was approved by City Council.
- The Department was able to identify funds that will be used to contract spay neuter mobile van services through the end of the fiscal year.
- Preliminary costs have been looked at for kiosks at the shelters.
- Will be working with Commissioner Finsten to discuss the parameters for the intake audit that was requested at a previous meeting.
- Pet Food Pantry was held on January 30 and February 6. On January 30, there were 303 pets served at Chesterfield Square, and 336 pets served at East Valley. Stats were not available for North Central. On February 6, there were 304 pets served at Chesterfield Square, 315 pets served at East Valley, and 100 pets served at North Central for a total of 719 pets served.
- Stated that we are an open admission shelter system and we do not turn animals away based on space.

Public Comment was made by:

- **Whitney Smith** - spoke about the volunteer program and the volunteer who was injured.
- **Cathy Serksnas** - spoke about the employees' use of vacation time.
- **Unknown** - recommended transferring animals to out-of-state shelters who are under populated.
- **David Moskowitz** - hopes that the next volunteer coordinator continues to advance the volunteer program.
- **Jeff Mausner** - thanked Carolyn for her service and recommended that the new Director of Volunteer Services be a former volunteer and someone who will stand up for the volunteers.
- **Gail Raff** - expressed concern over the overpopulation of cats and kittens.
- **Lejla H.** - spoke about the relationship between the Department and Bunny World Foundation.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Gross:

- None.

Commissioner Cohen:

- Requested a report back from the Lifesaving Liaison Coordinator.
- Protocols for sick and injured animals.

Commissioner Finsten:

- None.

Commissioner García:

- None.

Commissioner Sandoval:

- None.

Public Comment was made by:

- **Lisa Pearson** - expressed frustration with the delay of the Community Cat Program.
- **Ann** - spoke about the issues within the volunteer program.

6. BOARD REPORTS

A. FY 21-22 2nd Quarter Financial Reports (Information Item)

SMA Sharon Lee discussed the FY 21-22 2nd Quarter Financial Reports.

Public Comment was made by:

- **Whitney Smith** - stated that licenses should be generated when the animal is spayed or neutered.
- **Cathy Serksnas** - spoke about the money being spent for The Glue and the donations received from their campaign.
- **Michelle Cornelius** - suggested that money from the animal welfare trust fund be used towards a voucher type program for dog training to help dogs with behavior problems.

B. Oral Report on Enforcement of Illegal Vending of Animals in Public (Information Item)

District Supervisor Danny Pantoja provided an update on the enforcement of illegal vending of animals in public.

Public Comment was made by:

- **Lejla H.** - suggested that larger signs regarding the illegal sale of animals be added at Santee Alley.
- **Gail Raff** - suggested that the Department provide a direct contact point for the public to report the illegal sales of animals.
- **Cathy Serksnas** - suggested that the Department set up an information booth to educate the public on the animals being sold illegally.
- **Whitney Smith** - stated that tickets need to be issued to the people who are buying these animals.

C. Oral Report by the Director of Volunteer Services with an update on the Department of Animal Services' Volunteers (Information Item)

Director of Volunteer Services Carolyn Almos provided an update on the Department of Animal Services' Volunteers.

Public Comment was made by:

- **Kristin Dewey**- thanked Carolyn for always being so helpful and wished her luck in her new endeavor.
- **Cathy Serksnas** - stated the number of volunteer hours was incorrect.
- **Ann** - stated that a task force should be established to decide what kind of person would be best to replace Carolyn.
- **Whitney Smith** - stated that the volunteers are not taking the animals out.
- **Michelle Kelly** - spoke about the changes that Carolyn made to the volunteer program.

ADJOURNMENT

Meeting adjourned at 11:36 a.m.

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

LARRY GROSS
PRESIDENT

OLIVIA E. GARCIA
VICE PRESIDENT

COMMISSIONERS

JILL COHEN

ALISA FINSTEN

JOSE SANDOVAL

City of Los Angeles
CALIFORNIA



ERIC GARCETTI
MAYOR

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LifeSaving

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

Report to the Board of Animal Services Commissioners

MEETING DATE: February 22, 2022

PREPARED BY: Dana Brown

REPORT DATE: February 18, 2022

TITLE: General Manager

SUBJECT: ADOPTION OF RULES AND REGULATIONS FOR CAT TRAPPING PERMITS

BOARD ACTION RECOMMENDED:

1. **DETERMINE** that adoption of the attached rules and regulations (Attachment 1) is exempt under the California Environmental Quality Act (CEQA) pursuant to City of Los Angeles CEQA Guidelines, Article II, Section 2.i as an activity for which the underlying project has been previously evaluated for environmental significance and processed according to CEQA and the general principle under CEQA that actions in furtherance of an already-approved project that do not substantially change the overall project are exempt from further review.
2. **ADOPT** the attached rules and regulations for the trapping, sterilization, and return of a free-roaming cat to the location where it was found and for the trapping and surrender of a cat to the Department, pursuant to a trapping permit issued by the Department, and which shall supersede any previously promulgated rules and regulations for cat trapping.
3. **DIRECT** Department staff to file a Notice of Exemption for the adoption of the rules and regulations in accordance with CEQA.

BACKGROUND:

In December 2020, the Los Angeles City Council certified an Environmental Impact Report (EIR) under CEQA and approved the Citywide Cat Program ("Program"), as detailed in the corresponding EIR, to assist in the implementation of the City's no-kill policy and to reduce the relative population of free-roaming cats in the City. In approving the Program, the City Council established that trap, neuter, and return ("TNR") is the City's preferred method of addressing the free-roaming cat population and the City's official policy.

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A critical component of the Program's implementation involves the creation of a TNR program that allows organizations and individuals to engage in the TNR of free-roaming cats throughout the City. Los Angeles Municipal Code Section 53.06.3 prohibits a person from trapping cats anywhere in the City without first obtaining a trapping permit from the Department. Prior to the City's adoption of the Program, the Department only issued permits for the trapping of cats on private property and required that all trapped cats be immediately surrendered to the Department. Implementation of the approved Program requires the Department to issue trapping permits specifically tailored for the TNR of free-roaming cats on private and public property throughout the City. The promulgation of rules and regulations applicable to these trapping permits will ensure that the TNR of free-roaming cats occurs appropriately and consistent with the approved Program's guidelines.

SUMMARY:

To implement the approved Program and allow for the TNR of free-roaming cats to occur citywide, the Department is establishing two TNR-specific permits for cat trapping that will occur on private and public property, while maintaining the existing trapping permit that allows an individual to trap a cat on private property and bring it to a Department of Animal Services Center. The attached sets of rules and regulations will apply to these three types of cat trapping permits:

- (1) A **Citywide TNR Cat Trapping Permit**, issued for a period of six months, for organizations and individuals that will engage in the TNR of free-roaming cats throughout the City. Among other requirements, the rules and regulations establish parameters for trapping activity on private or public property and require the permittee to enter into a TNR Participation Agreement with the Department.
- (2) A **Single Location TNR Cat Trapping Permit**, issued for a period not exceeding 30 days, for individuals that will engage in the TNR of free-roaming cats at a specific private property. Among other requirements, the rules and regulations establish parameters for trapping activity on private property and require the permittee to enter into a TNR Participation Agreement with the Department.
- (3) A **Cat Trapping Permit**, issued for a period not exceeding 30 days, for individuals that will trap and bring a cat directly to the Department for reasons including that the cat is sick or injured, the cat has bitten someone, the cat's welfare is in jeopardy, the cat is a public health hazard, or the cat is creating the potential for harm to people or companion animals. Among other requirements, the rules and regulations establish parameters for trapping activity on private property and require trapped cats to be brought to a Department of Animal Services Center.

CEQA DETERMINATION:

The actions described in the rules and regulations were already analyzed in the EIR certified by the City Council on December 8, 2020. See EIR, including Final EIR and Draft EIR, at:

<https://eng.lacity.org/about-us/divisions/environmental-management/projects/citywide-cat-program>

In particular, the EIR analyzed TNR activity: (1) in both private and public property (while noting that, previous to the adoption of the Program, the Department only issued permits for the trapping of cats on private property, as well as issuance of permits to public entities on their own property); (2) with the maintenance of the existing protocols for nuisance cats; (3) with the general parameters as described

in the TNR Participation Agreement; and (4) with no constraints on the permit time frame as established by the rules and regulations.

City of Los Angeles CEQA Guidelines (2006), Article II, Section 2.i, provides an exemption from CEQA for:

“Any activity (approval of bids, execution of contracts, allocation of funds, etc.) for which the underlying project has previously been evaluated for environmental significance and processed according to the requirements of these Guidelines.”

Furthermore, under CEQA, actions in furtherance of an already-approved project that do not substantially change the overall project are exempt from further review. (See, e.g., Van de Kamps Coalition v. Board of Trustees of Los Angeles Community College Dist. (2012) 206 Cal.App.4th 1036.)

Therefore, Department staff recommends that the Board determine that adoption of the attached rules and regulations is exempt from CEQA, and direct staff after approval to file a Notice of Exemption in accordance with CEQA.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of these rules and regulations for cat trapping permits.

Approved:



Dana H. Brown, General Manager

BOARD ACTION:

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

RULES AND REGULATIONS
Citywide Trap-Neuter-Return Cat Trapping Permit

These Rules and Regulations apply to the citywide trapping of free-roaming cats within the City of Los Angeles for the purpose of sterilizing and returning the cats to the location where they were found, pursuant to a trapping permit issued by the Department of Animal Services under Los Angeles Municipal Code Section 53.06.3.

As used in these Rules and Regulations, the following definitions shall apply:

“Department” – the Los Angeles Department of Animal Services.

“Free-roaming cats” – all unowned, roaming cats, including feral and stray cats.

“Feral Cats” – unowned cats with temperaments that are completely unsocialized to humans.

“Permittee” – the holder of a cat trapping permit issued by the Department pursuant to Los Angeles Municipal Code Section 53.06.3.

“Stray Cats” – formerly owned cats that are abandoned or lost.

“Trap, Neuter, and Return or TNR” – the practice whereby free-roaming cats are humanely trapped, taken to a veterinary hospital or facility where they are sterilized, and returned to the outdoor location where found.

Permittee shall comply with the following Rules and Regulations when engaging in the citywide TNR of free-roaming cats within the City of Los Angeles:

1. Permittee shall register as an authorized participant in the Citywide Cat Program and enter into the required TNR Partner Participation Agreement with the Department. Permittee shall maintain good standing as an authorized participant in the Citywide Cat Program.
2. If trapping on private property, Permittee shall obtain the property owner's consent agreeing to allow TNR to occur on the private property. Permittee shall monitor traps set on private property for occupancy a minimum of every four (4) hours. Permittee shall immediately remove any trap set on private property upon request of the property owner or Department staff.
3. If trapping on public property, Permittee shall abide by all applicable laws, rules, or regulations, including those applicable to the area where traps are set – for example park closure hours, accessibility requirements for the public right of way, and trespassing laws. Permittee shall actively monitor traps set on public property and not allow traps to be unsupervised at any time. Permittee shall safely place traps in locations where they are least likely to be noticed or encountered by members of the public. Permittee shall immediately remove any trap set on public property upon request by Department staff or other City official.
4. Permittee shall only use and set humane traps that are in proper working order. Permittee shall not use or set any trap in violation of Los Angeles Municipal Code Section 53.06.3, including any snare, body gripping trap, body crushing trap, deadfall trap, leg hold trap, or any trap or snare that captures an animal by gripping or snaring any part of the animal including its body, head, neck or limb, or that maims or causes inhumane death or suffering.

ATTACHMENT 1

5. Permittee shall affix an informational notice on each trap it sets and that provides Permittee's name, current contact information, and trapping permit number.
6. Permittee shall ensure fresh water is always available for trapped animals and that traps are placed in areas protected from the elements. Permittee shall keep all trapping locations clean so that no traces of food, refuse, or fecal matter are left behind after trapping events, and shall disinfect any contaminated surfaces as needed to help maintain cleanliness and contain the potential spread of disease. Permittee shall partially cover traps when occupied.
7. Permittee shall ensure any individual engaged in trapping activity will use gloves while handling traps and animals, and wash hands and clean equipment after handling traps or animals. Where feasible, to avoid potential interactions or conflict with vulnerable populations (including children, the elderly, and those with compromised immune systems), Permittee shall not trap in close proximity of individuals from these populations.
8. Permittee shall use reasonable efforts to determine if a trapped cat is owned, a stray, or feral prior to its removal from the area. Permittee shall immediately release a trapped cat on-site if it appears to be owned, is sterilized, or is ear-tipped. Permittee shall immediately release any non-targeted animal on-site.
9. If Permittee cannot confidently conclude that a trapped free-roaming cat is feral, Permittee shall provide notice to the Department within four (4) hours of taking up the cat for TNR, to include a description of the trapped cat, the location it was found, where it is currently confined, and any other information requested by the Department. Permittee shall surrender the cat to the Department upon demand.
10. Permittee shall not take up a trapped cat for TNR if there is evidence that the cat is sick or injured, has bitten someone, the cat's welfare is in jeopardy, the cat has caused or will cause a public health hazard, or the potential exists for harm to people or companion animals. Permittee shall surrender any such cats to the nearest Department Animal Services Center.
11. If Permittee determines that a trapped free-roaming cat is suitable for TNR, Permittee shall safely and humanely transfer the cat to a licensed veterinarian as soon as reasonably practicable, where the cat shall be scanned for a microchip, sterilized, vaccinated, ear-tipped, and where feasible microchipped, dewormed, and treated for fleas prior to the cat's return to the location where it was trapped. Permittee shall return the sterilized cat to the location where it was trapped if the cat is healthy and thriving. Alternatively, the cat may be enrolled in a Working Cat Program, adopted, or surrendered to the Department as appropriate.
12. Permittee has received and reviewed a map of Environmentally Sensitive Areas ("ESAs") within the City of Los Angeles, which is attached to these Rules and Regulations and available on the Department's website. If trapping in or near an ESA, Permittee shall avoid undisturbed areas and vegetation and only place traps on paved or developed areas. If Permittee traps a free-roaming cat in an ESA, the cat shall be enrolled in a Working Cat Program or adopted if possible. If these options are not available, Permittee shall return the cat to where it was trapped within the ESA.

ATTACHMENT 1

13. Permittee agrees to comply with all applicable laws, rules, and regulations, including those of the United States of America, the State of California, the City, and the Department. Permittee shall provide proper care to all animals, including adequate food, water, shelter, safe containment, appropriate veterinary care, adequate exercise, and humane treatment at all times.
14. Only the individual or individuals listed in Permittee's trapping permit application shall be authorized to engage in TNR. Permittee shall immediately notify the Department of any changes to this list of individuals and provide an updated list on the designated Department form. Permittee shall ensure that each of the listed individuals has received and reviewed these Rules and Regulations, which shall apply to all such individuals engaging in trapping activity. Upon request, Permittee and any listed individuals shall provide the Department with a copy of the Citywide Trap-Neuter-Return Cat Trapping Permit.
15. Permittee shall promptly notify the Department in writing of any changes or updates to the information provided in Permittee's permit application, including changes to organization structure or contact information.
16. The Department may suspend or revoke a Citywide Trap-Neuter-Return Cat Trapping Permit following the procedures set forth in Los Angeles Municipal Code Section 22.02, if after due investigation the Department finds that the Permittee, or Permittee's agent or employee: (1) has been convicted of any offense involving animal welfare; (2) has failed to provide any animal with proper care or subjected an animal to needless suffering, unnecessary cruelty, or abuse; or (3) has violated these Rules and Regulations or any other Department rule or regulation. A hearing to suspend or revoke a Citywide Trap-Neuter-Return Cat Trapping permit shall be conducted by a Hearing Examiner appointed by the General Manager. The Hearing Examiner shall provide a written report to the General Manager summarizing the evidence and the Hearing Examiner's findings and recommendations. The General Manager may adopt or reject the Hearing Examiner's findings and recommendations, modify and adopt the recommendations, or return the matter for a further hearing. The decision of the General Manager shall be served on the Permittee in the manner of providing notice set forth in Los Angeles Municipal Code Section 11.00, and shall be final and effective upon such service.
17. A Citywide Trap-Neuter-Return Cat Trapping Permit shall automatically expire six (6) months from the date of issue, unless sooner revoked or suspended.

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RULES AND REGULATIONS **Trap-Neuter-Return Cat Trapping Permit – Single Location**

These Rules and Regulations apply to the trapping of free-roaming cats at a specific private property location within the City of Los Angeles for the purpose of sterilizing and returning the cats to the location where they were found, pursuant to a trapping permit issued by the Department of Animal Services under Los Angeles Municipal Code Section 53.06.3.

As used in these Rules and Regulations, the following definitions shall apply:

“Department” – the Los Angeles Department of Animal Services.

“Free-roaming cats” – all unowned, roaming cats, including feral and stray cats.

“Feral Cats” – unowned cats with temperaments that are completely unsocialized to humans.

“Permittee” – the holder of a cat trapping permit issued by the Department pursuant to Los Angeles Municipal Code Section 53.06.3.

“Stray Cats” – formerly owned cats that are abandoned or lost.

“Trap, Neuter, and Return or TNR” – the practice whereby free-roaming cats are humanely trapped, taken to a veterinary hospital or facility where they are sterilized, and returned to the outdoor location where found.

Permittee shall comply with the following Rules and Regulations when engaging in the TNR of free-roaming cats at a location within the City of Los Angeles:

1. Permittee shall register as an authorized participant in the Citywide Cat Program and enter into the required TNR Participation Agreement with the Department.
2. Permittee shall only set traps at the location identified on the Trap-Neuter-Return Cat Trapping Permit. Permittee shall monitor traps for occupancy a minimum of every four (4) hours.
3. Permittee shall only use and set humane traps that are in proper working order. Permittee shall not use or set any trap in violation of Los Angeles Municipal Code Section 53.06.3, including any snare, body gripping trap, body crushing trap, deadfall trap, leg hold trap, or any trap or snare that captures an animal by gripping or snaring any part of the animal including its body, head, neck or limb, or that maims or causes inhumane death or suffering.
4. Permittee shall ensure fresh water is always available for trapped animals and that traps are placed in areas protected from the elements. Permittee shall keep all trapping locations clean so that no traces of food, refuse, or fecal matter are left behind after trapping events, and shall disinfect any contaminated surfaces as needed to help maintain cleanliness and contain the potential spread of disease. Permittee shall partially cover traps when occupied.
5. Permittee shall affix an informational notice on each trap it sets and that provides Permittee's name, current contact information, and trapping permit number.
6. Permittee shall use gloves while handling traps and animals, and will wash hands and clean equipment after handling traps or animals. Where feasible, to avoid potential interactions or conflict with vulnerable populations (including children, the elderly, and

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those with compromised immune systems), Permittee shall not trap in close proximity of individuals from these populations.

7. Permittee shall use reasonable efforts to determine if a trapped cat is owned, a stray, or feral prior to its removal from the area. Permittee shall immediately release a trapped cat on-site if it appears to be owned, is sterilized, or is ear-tipped. Permittee shall immediately release any non-targeted animal on-site.
8. If Permittee cannot confidently conclude that a trapped free-roaming cat is feral, Permittee shall provide notice to the Department within four (4) hours of taking up the cat, to include a description of the trapped cat, the location it was found, where it is currently confined, and any other information requested by the Department. Permittee shall surrender the cat to the Department upon demand.
9. Permittee shall not take up a trapped cat for TNR if there is evidence that the cat is sick or injured, has bitten someone, the cat's welfare is in jeopardy, the cat has caused or will cause a public health hazard, or the potential exists for harm to people or companion animals. Permittee shall surrender any such cats to the Department.
10. If Permittee determines that a trapped free-roaming cat is suitable for TNR, Permittee shall safely and humanely transfer the cat to a licensed veterinarian as soon as reasonably practicable, where the cat shall be scanned for a microchip, sterilized, vaccinated, ear-tipped, and where feasible microchipped, dewormed, and treated for fleas prior to the cat's return to the location where it was trapped. Permittee shall return the cat to the location where it was trapped if the cat is healthy and thriving. Alternatively, the cat may be enrolled in a Working Cat Program, adopted, or surrendered to the Department as appropriate.
11. Permittee has received and reviewed a map of Environmentally Sensitive Areas ("ESAs") within the City of Los Angeles, which is attached to these Rules and Regulations and available on the Department's website. If trapping in or near an ESA, Permittee shall avoid undisturbed areas and vegetation and only place traps on paved or developed areas. Permittee traps a free-roaming cat in an ESA, the cat will be enrolled in a Working Cat Program or adopted if possible. If these options are not available, Permittee shall return the cat to where it was trapped within the ESA.
12. Permittee agrees to comply with all applicable laws, rules, and regulations, including those of the United States of America, the State of California, the City, and the Department. Permittee shall provide proper care to animals, including adequate food, water, shelter, safe containment, appropriate veterinary care, adequate exercise, and humane treatment at all times.
13. Only the individual or individuals listed in Permittee's permit application shall be authorized to engage in TNR. Permittee shall immediately notify the Department of any changes to this list of individuals and provide an updated list on the designated Department form. Permittee shall ensure that each of the listed individuals has received and reviewed these Rules and Regulations, which shall apply to all such individuals engaging in trapping activity. Upon request, Permittee and any listed individuals shall provide the Department with a copy of the Trap-Neuter-Return Cat Trapping Permit.
14. Permittee shall promptly notify the Department in writing of any changes or updates to

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the information provided in Permittee's permit application, including changes to organization structure or contact information.

15. The Department may suspend or revoke a Trap-Neuter-Return Cat Trapping Permit following the procedures set forth in Los Angeles Municipal Code Section 22.02, if after due investigation the Department finds that the Permittee, or Permittee's agent or employee: (1) has been convicted of any offense involving animal welfare; (2) has failed to provide any animal with proper care or subjected an animal to needless suffering, unnecessary cruelty, or abuse; or (3) has violated these Rules and Regulations or any other Department rule or regulation. A hearing to suspend or revoke a Trap-Neuter-Return Cat Trapping permit shall be conducted by a Hearing Examiner appointed by the General Manager. The Hearing Examiner shall provide a written report to the General Manager summarizing the evidence and the Hearing Examiner's findings and recommendations. The General Manager may adopt or reject the Hearing Examiner's findings and recommendations, modify and adopt the recommendations, or return the matter for a further hearing. The decision of the General Manager shall be served on the Permittee in the manner of providing notice set forth in Los Angeles Municipal Code Section 11.00, and shall be final and effective upon such service.
16. A Trap-Neuter-Return Cat Trapping Permit shall automatically expire 30 days from the date of issue, unless issued for a shorter duration of time or sooner revoked or suspended.

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RULES AND REGULATIONS Cat Trapping Permit – Relinquish to Department

These Rules and Regulations apply to the trapping of cats at a specific private property location within the City of Los Angeles for the purpose of bringing the cats directly to the Department, pursuant to a trapping permit issued by the Department of Animal Services ("Department") under Los Angeles Municipal Code Section 53.06.3.

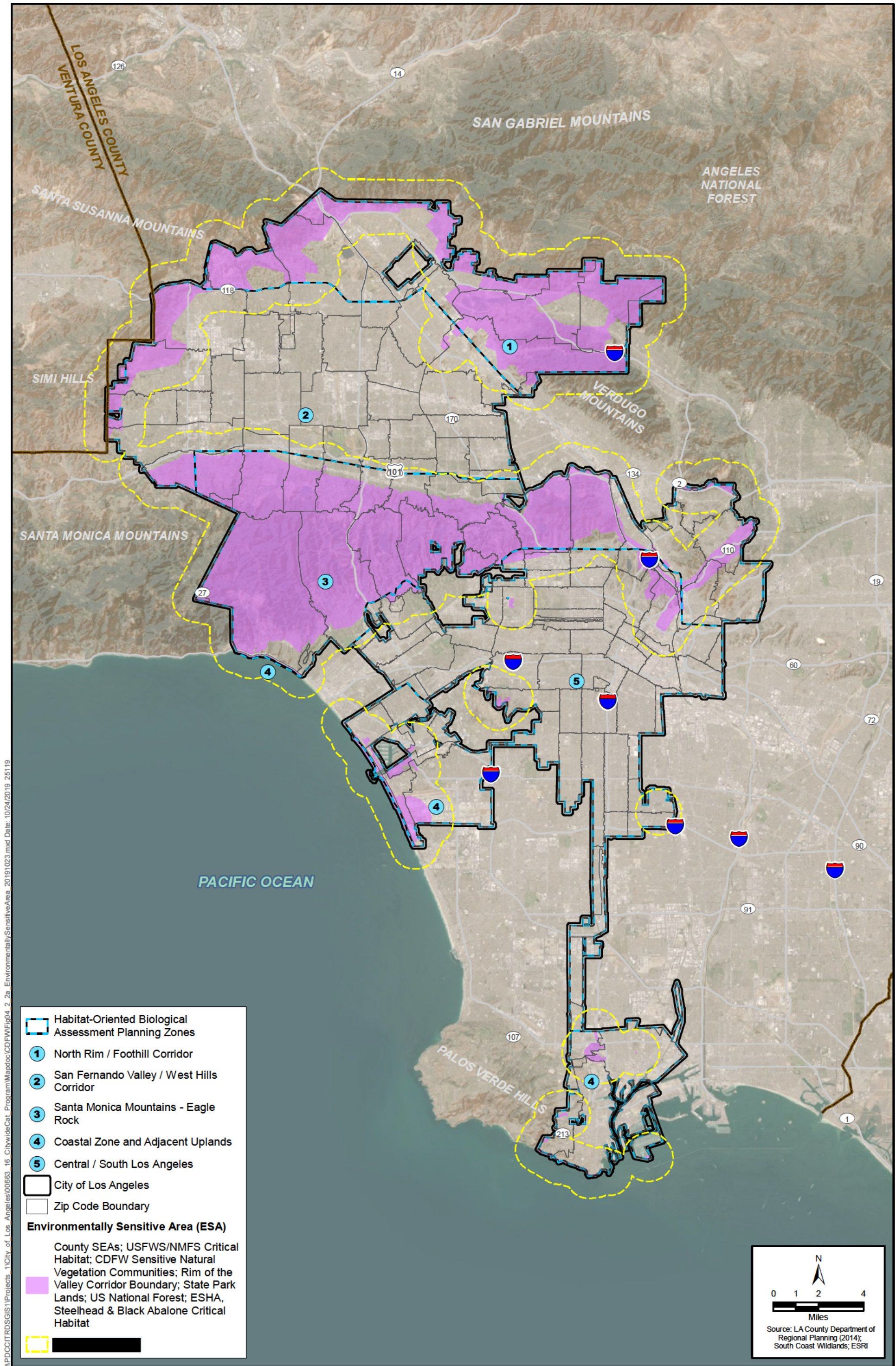
The holder of a cat trapping permit ("Permittee") shall comply with the following Rules and Regulations when engaging in the trapping of cats at a location within the City of Los Angeles:

1. Permittee shall only set traps at the location identified on the Cat Trapping Permit. Permittee shall monitor traps for occupancy a minimum of every four (4) hours.
2. Permittee shall only use and set humane traps that are in proper working order. Permittee shall not use or set any trap in violation of Los Angeles Municipal Code Section 53.06.3, including any snare, body gripping trap, body crushing trap, deadfall trap, leg hold trap, or any trap or snare that captures an animal by gripping or snaring any part of the animal including its body, head, neck or limb, or that maims or causes inhumane death or suffering.
3. Permittee shall ensure fresh water is always available for trapped animals and that traps are placed in areas protected from the elements. Permittee shall keep all trapping locations clean so that no traces of food, refuse, or fecal matter are left behind after trapping events, and shall disinfect any contaminated surfaces as needed to help maintain cleanliness and contain the potential spread of disease. Permittee shall partially cover traps when occupied.
4. Permittee shall affix an informational notice on each trap it sets and that provides Permittee's name, current contact information, and trapping permit number.
5. Permittee shall use gloves while handling traps and animals, and will wash hands and clean equipment after handling traps or animals. Where feasible, to avoid potential interactions or conflict with vulnerable populations (including children, the elderly, and those with compromised immune systems), Permittee shall not trap in close proximity of individuals from these populations.
6. Permittee shall take a trapped cat to the nearest Department Animal Service Center within one (1) hour from the time the cat is discovered in the trap.
7. Permittee agrees to comply with all applicable laws, rules, and regulations, including those of the United States of America, the State of California, the City, and the Department. Permittee shall provide proper care to animals, including adequate food, water, shelter, safe containment, appropriate veterinary care, adequate exercise, and humane treatment at all times.
8. Only the individual or individuals listed in Permittee's cat trapping permit application shall be authorized to engage in trapping activity. Permittee shall immediately notify the Department of any changes to this list of individuals and provide an updated list on the designated Department form. Permittee shall ensure that each of the listed individuals has received and reviewed these Rules and Regulations, which shall apply to all such

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individuals engaging in trapping activity. Upon request, Permittee and any listed individuals shall provide the Department with a copy of the Cat Trapping Permit.

9. Permittee shall promptly notify the Department in writing of any changes or updates to the information provided in Permittee's cat trapping permit application, including changes to contact information.
10. The Department may suspend or revoke a Cat Trapping Permit following the procedures set forth in Los Angeles Municipal Code Section 22.02, if after due investigation the Department finds that the Permittee, or Permittee's agent or employee: (1) has been convicted of any offense involving animal welfare; (2) has failed to provide any animal with proper care or subjected an animal to needless suffering, unnecessary cruelty, or abuse; or (3) has violated these Rules and Regulations or any other Department rule or regulation. A hearing to suspend or revoke a Cat Trapping permit shall be conducted by a Hearing Examiner appointed by the General Manager. The Hearing Examiner shall provide a written report to the General Manager summarizing the evidence and the Hearing Examiner's findings and recommendations. The General Manager may adopt or reject the Hearing Examiner's findings and recommendations, modify and adopt the recommendations, or return the matter for a further hearing. The decision of the General Manager shall be served on the Permittee in the manner of providing notice set forth in Los Angeles Municipal Code Section 11.00, and shall be final and effective upon such service.
11. A Cat Trapping Permit shall automatically expire 30 days from the date of issue, unless issued for a shorter duration of time or sooner revoked or suspended.



City of Los Angeles Environmentally Sensitive Areas-Update
Citywide Cat Program



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Report to the Board of Animal Services Commissioners

MEETING DATE: February 22, 2022

PREPARED BY: Dana Brown

REPORT DATE: February 17, 2022

TITLE: General Manager

**SUBJECT: RECOMMENDATION TO SUPPORT SENATE BILL 879 – P.E.T. (PROHIBITING
EXTRANEIOUS TESTING) ACT**

BOARD ACTION RECOMMENDED:

1. **SUPPORT** Senate Bill 879 (Wiener) – P.E.T. (Prohibiting Extraneous Testing) 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 January 2022, Senator Scott Wiener introduced S.B. 879 which would prohibit toxicological testing on dogs and cats for products such as pesticides, chemical substances, and food additives unless specifically required by the Environmental Protection Agency (EPA) or the Food and Drug Administration (FDA) or if the product being tested is intended to medically treat dogs and cats.

The intent of the testing is to evaluate what harm these toxic chemicals may cause humans. Much of the current toxicity testing on these animals is inhumane, unnecessary and ultimately does not further scientific research on toxicity in humans. This important bill will prohibit unnecessary and harmful testing while still allowing for testing involving products for pets as well as testing required by federal agencies.

This bill has the support of the Humane Society of the United States (HSUS).

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SUMMARY:

While the Department understands the need for testing and evaluation of potential harm to humans, this Bill encourages non-animal testing methods. This type of testing is unreliable and does not definitively ensure human safety. As such, these animals should not be unnecessarily subjected to this testing.

FISCAL IMPACT:

The support of S.B. 879 does not impact the General Fund.

Approved:



Dana H. Brown, General Manager

Attachment: P.E.T. Act Fact Sheet

BOARD ACTION:

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



Senator Scott Wiener, 11th Senate District

Senate Bill 879 – Prohibiting Extraneous Testing (PET) Act

SUMMARY

SB 879, the Prohibiting Extraneous Testing (PET) Act, will prohibit toxicological testing on dogs and cats for products such as pesticides, chemical substances, and food additives unless expressly required by the Environmental Protection Agency (EPA) or the Food and Drug Administration (FDA). This bill includes exemptions for testing for the development of products intended for use in dogs or cats including anesthesia, cancer treatment, animal vaccines, other animal medicines, or flea and tick products. The Attorney General, district attorney of the county, or a city attorney may bring a civil action for injunctive relief for the violation of this bill.

BACKGROUND

Toxicity testing exposes animals to chemicals (including medicines, industrial and consumer products, and food additives) to evaluate what harm they may cause humans. According to the Physicians Committee for Responsible Medicine, this testing can vary in duration and animals are observed for toxic effects including: vomiting, diarrhea, convulsions, respiratory distress, appetite or weight loss, rashes, salivation, paralysis, lethargy, bleeding, organ abnormalities, tumors, and even death.

Dogs used in testing are bred to live their entire lives confined in laboratory settings and are forced to undergo invasive procedures, such as having chemicals forced down their throat or into their lungs. Some tests may involve intentionally administering a chemical over a

prolonged period to determine the lethality of the substance, causing slow and painful deaths. SB 879 will prohibit those tests and ensure that cats are not subject to the same conditions.

PROBLEM

The use of animals to test substances intended for human use is unreliable, does not truly ensure human safety, and has scientific limitations that will likely never improve. For example, nearly 90 percent of drugs that are first tested on animals fail when subsequently tested in people, with about half failing due to unanticipated human toxicity. Furthermore, a comprehensive analysis found that dogs are highly inconsistent predictors of toxic responses in humans and equated predictions of toxicity based on canine data to tossing a coin. A 2020 report found that investigators cite precedent as the reason dogs were tested in the laboratory, which is insufficient justification and encourages testing on dogs without considering viable alternatives. A large majority of toxicity testing performed on dogs and cats is not explicitly prohibited under federal law, which serves as a justification for the continued use of this practice.

One example of this type of testing is the one-year pesticide test on dogs during which researchers force dogs to consume a pesticide every day for an entire year. It costs \$800,000 per study. In addition, all the dogs are killed at the end if they do not die during the study. The U.S. Environmental Protection Agency eliminated this test requirement more than a decade ago, yet companies continue to carry out this test and submit the data as part of their pesticide registration.

SOLUTION

SB 879 ends the suffering of cats and dogs and prohibits these household pets from being used in toxicity tests for products such as pesticides, chemical substances, and food additives. This bill includes exemptions for testing for the development of products intended for use in dogs or cats including anesthesia, cancer treatment, animal vaccines, other animal medicines, or flea and tick products. SB 879 does not impact testing *required* by federal statutes.

The PET Act will not only prohibit unnecessary toxicity testing on dogs and cats, but will encourage the continued development and adoption of non-animal testing methods. California must take the lead to move to improved risk-based chemical assessments and more predictive information on safety and end the faulty reliance on these animal studies.

SUPPORT

- Humane Society of the United States (HSUS) (sponsor)

FOR MORE INFORMATION

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