



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES

REGULAR MEETING AGENDA
Tuesday, June 28, 2022
6:00 P.M.

Dial (669) 900-6833 to Join the Meeting and use Webinar ID No. 974 9164 9334 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. 974 9164 9334 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. ADMINISTRATIVE APPEALS

1. Possible Reconsideration of Dangerous Animal Case: DA 213038 WLA (Action Item; Public comment limited to one minute per speaker)

Appellant: Courtney Morton-Perry
West Los Angeles Animal Services Center: Lt. Botta
Complaining Witness: Zahra Maleki-Ghomi

The Board took action in this case at its meeting on June 14, 2022. An audio recording of that meeting is available at <https://www.laanimalservices.com/about-us-2/commission/>. If the Board decides to reconsider this item, the Board will re-open the appeal in this case to receive public comment and then will re-vote on the matter.

2. Possible Reconsideration of Barking Dog Animal Case: BD 213133 SLA (Action Item; Public comment limited to one minute per speaker)

Appellant: Martin and Juana Castaneda
South Los Angeles Animal Services Center: Lt. Spariosu
Complaining Witnesses: Kayla Gray and Ted Levy

The Board took action in this case at its meeting on June 14, 2022. An audio recording of that meeting is available at <https://www.laanimalservices.com/about-us-2/commission/>. If the Board decides to reconsider this item, the Board will re-open the appeal in this case to receive public comment and then will re-vote on the matter.

II. COMMISSION MEETING

1. PUBLIC COMMENT PERIOD - (Comments from the public on items of public interest within the Board's subject matter jurisdiction)

Note: The Brown Act prohibits the Board and staff from discussing or taking action relative to a speaker's comments. Some of the matters raised in public comment may appear on a future agenda.

2. NEIGHBORHOOD COUNCIL INPUT - (Discussion with Neighborhood Council representatives on Neighborhood Council written resolutions or Community Impact filed with the City Clerk or Resolutions 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 June 14, 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. Acceptance of a \$50,000 Grant from the Annenberg Foundation into the Animal Welfare Trust Fund and Animal Sterilization Fund (Action Item; Public comment limited to one minute per speaker)
- B. Approval of Letter of Agreement with Heaven on Earth Animal Clinic for Participation in the Citywide Cat Program to Provide Spay/Neuter Services for Free Roaming Cats (Action Item; Public comment limited to one minute per speaker)
- C. Update on Fourth of July Preparations (Information Item; Public comment limited to one minute per speaker)

7. ADJOURNMENT

Next Regular Meeting is scheduled for 9:30 a.m., July 12, 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
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PRESIDENT

OLIVIA E. GARCIA
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City of Los Angeles

CALIFORNIA



ERIC GARCETTI
MAYOR

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INTERIM GENERAL MANAGER

CURTIS R. WATTS
ASSISTANT GENERAL MANAGER
Administration

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

NOTIFICATION OF ADMINISTRATIVE APPEAL HEARING

To Be Held: Tuesday, June 28, 2022, at 6:00 P.M.

This hearing will be held telephonically. To appear, please follow the instructions below.

Pursuant to Los Angeles Municipal Code Section 53.18.5(q)(4) this serves as formal notice to the following parties and witnesses of an appeal hearing before the Board of Animal Services Commissioners ("Board") in the case listed below:

- 1. Dangerous Animal Case: DA 213038 WLA**
Appellant: Courtney Morton-Perry
West Los Angeles Animal Services Center: Lt. Botta
Complaining Witness: Zahra Maleki-Ghomi
- 2. Barking Dog Animal Case: BD 213133 SLA**
Appellant: Martin and Juana Castaneda
South Los Angeles Animal Services Center: Lt. Spariosu
Complaining Witness: Kayla Gray, Ted Levy

At its meeting on June 14, 2022 the Board held an appeal hearing in this case and voted to uphold the General Manager's decision. At its upcoming meeting on June 28, 2022, the Board will re-open the appeal hearing to receive public comment and then will take a new vote on the matter. The Board will not receive further statements from the parties or witnesses.

Due to concerns over COVID-19, this appeal hearing will be held telephonically. To appear at the hearing, DIAL (669) 900-6833, ENTER Webinar ID No. 974 9164 9334, and then press #. Press # again when prompted for participant ID.

If you have any questions or need further assistance with your telephonic appearance, please contact the Department at (213) 482-9558.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign Language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the hearing.

For additional information, please refer to the Board's "Rules and Procedures for Appeals", or contact the Department of Animal Services at (213) 482-9558, or visit the Department's website: <http://www.laanimalservices.com/>. This hearing will not be rescheduled, except for good cause.

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

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



**MINUTES
TUESDAY, June 14, 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 9:34 a.m. Commissioners present were Gross, García, Finsten and Sandoval. Also present from Los Angeles Animal Services (LAAS) was Interim General Manager Annette Ramirez, Assistant General Manager (AGM) Curtis Watts, 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. ADMINISTRATIVE APPEALS

1. Dangerous Animal Case: DA 213038 WLA

Appellant: Courtney Morton-Perry
West Los Angeles Animal Services Center: Lt. Botta
Complaining Witness: Zahra Maleki-Ghomi

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

Commissioner Gross made a motion to uphold the decision of the General Manager.

Commissioner Sandoval seconded and the motion was approved by a vote of 4-0.

Ayes: Gross, García, Finsten and Sandoval.
Noes: None.
Absent: Cohen.

2. Barking Dog Animal Case: BD 213133 SLA

Appellant: Martin and Juana Castaneda

South Los Angeles Animal Services Center: Lt. Spariosu

Complaining Witness: Kayla Gray and Ted Levy

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

Commissioner Gross made a motion to uphold the decision of the General Manager.

Commissioner Sandoval seconded and the motion was approved by a vote of 4-0.

Ayes: Gross, García, Finsten and Sandoval.

Noes: None.

Absent: Cohen.

II. REGULAR COMMISSION MEETING

1. PUBLIC COMMENT

Public Comment was made by:

- **Dan Guss** - asked for officers to respond to a dog that was out on Burbank Boulevard with no shelter or food and asked for a report of every transaction into and out of the Animal Welfare Trust Fund for payments made to The Glue.
- **Courtney Morton-Perry** - stated that the merits of her appeal case were biased.
- **Claudio Kusnier** - asked the Department to replace the lifesaving liaison position as soon as possible, recommended that the West Valley yards be covered due to the heat, and suggested moving available dogs for the public to see them.
- **Brian Gilles** - spoke about three dogs that are on hold from an evidence case and stated that a rescue group is interested in them. Also recommended that kennel cards be placed inside and outside of the kennel.
- **Jodie Palm** - asked for clarification for animals that are listed as yellow alert and spoke about the difficulties with TNR and the spay/neuter vouchers.
- **Michelle Cornelius** - spoke about two foster kittens that needed medical attention and were euthanized and also spoke about animal welfare trust funds being used for the Department's zoom subscription.
- **Cathy Serksnas** - spoke about the departure of Thomas Kalinowski and asked about a replacement for him. Also spoke about the safety issues around the West Valley shelter and asked the Commissioners to bring these concerns to the Mayor.
- **Cat Edwards** - spoke about several issues with the shelters, the Community Cat Program, and the lack of communication regarding spay/neuter.
- **Whitney Smith** - asked for the protocols for seriously injured animals that enter the shelter and need medical care. Also recommended that the Department

make a motion to ban breeder permits in the City of Los Angeles.

- **Tom Kiesche** - recommended radios for the volunteers and spoke about the lack of outreach and education for the community.
- **Gail Raff** - asked why Best Friends is not taking animals from our shelters and asked for follow up reports regarding The Glue and the mobile spay/neuter vans.
- **Alicia Bean** - spoke about the dogs that are on hold from an appeal case at South Los Angeles and asked for the protocols with dealing in these long term cases.
- **Jeff Mausner** - asked the Commissioners to seriously listen to the concerns raised by the volunteers and the public.
- **Dawn** - spoke about issues with the Community Cat Program.
- **Bianca** - stated that the Department needs to provide community education on spay/neuter and that additional free and low cost spay/neuter services are needed.
- **Sharon Brewer** - encouraged the public to attend the Personnel, Audits, and Animal Welfare Committee meeting scheduled for June 15 and hopes that the Commissioners listen to the public's concerns for the welfare of the animals.

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 Finsten seconded and the motion was approved by a vote of 4-0.

Ayes: Gross, García, Finsten, and Sandoval.

Noes: None.

Absent: Cohen.

Public Comment was made by:

- **Jodie Palm** - stated that the Commission meetings should meet in person.
- **Whitney Smith** - stated that the Commission meetings should meet in person.
- **Bianca** - stated that the shelters need to be opened.
- **Claudio Kusnier** - suggested meeting in person on a quarterly basis.
- **Sharon Brewer** - stated that City's Commission and Committee meetings are not allowed to meet in person.
- **Dawn** - suggested meeting in person on a quarterly basis.
- **Gail Raff** - recommended meeting at the shelters so that the Commissioners can see the conditions of the dogs at the shelters.
- **Brian Gilles** - stated that the City Council makes the determination for Commissions to meet virtually

B. Approval of the Minutes for Meeting of May 24, 2022.

Commissioner García moved to approve the minutes for the meeting of May 24, 2022.

Commissioner Sandoval seconded and the motion was approved by a vote of 4-0.

Ayes: Gross, García, Finsten, and Sandoval.

Noes: None.

Absent: Cohen.

Public Comment:
None

4. ORAL REPORT OF THE GENERAL MANAGER

Interim GM Annette Ramirez discussed the following:

- Update on Covid: mask mandate is still required at all City facilities and

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visitors are required to wear a mask, provide proof of vaccination or a negative Covid test. An additional 19 staff members have been placed off duty for either contracting or being exposed to someone with Covid.

- Update on website: the pet lovers license plate link has been corrected, and the cat limit information was updated to reflect the current number of five indoor sterilized cats. The Department is still in the process of updating the lost inventory of animals online.
- The Department is researching City contracted vendors for the best cost-efficient options to provide name tags for the shelter staff.
- The lifesaving liaison and volunteer liaison positions at West Valley have been filled.
- Mayor Garcetti and his team visited the East Valley shelter where they were given a tour of the facility and learned about the care required for fostering kittens.
- Staff and volunteers had an opportunity to take dogs over to the Los Angeles Chargers training camp as part of the L.A. Chargers media day. These animals will be included in a calendar with the players.
- Staff attended an off-site foster event in Mission Hills and mobile pet adoption events at Pet Food Express, Monty's of Echo Park, Bob's Skechers in Manhattan Beach, and Rosie Bunny Bean. Three dogs and five rabbits were adopted from these events.
- Staff also attended a Pet Wellness Day to provide resources and supplies to pet owners in need. Spay and neuter vouchers were distributed and 120 care packages.
- Adoption discount events will continue through this weekend and the following weekend. Staff will also be attending a mobile pet adoption event at Pet Food Express.
- Pet Food Pantry was held on May 29, June 5, and June 12. On May 29, there were 217 pets served at Chesterfield Square, 442 pets served at East Valley and 256 pets served at North Central for a total of 915 pets served. On June 5, there were 301 pets served at Chesterfield Square, 445 pets served at East Valley and 360 pets served at North Central for a total of 1,106 pets served. The stats for June 12 were not available at the time of this meeting.
- **Commissioner Sandoval** asked for an update on the rabbit ordinance.

Public Comment was made by:

- **Claudio Kusnier** - asked for clarification regarding owner surrenders who breed dogs.
- **Gail Raff** - asked why Paws for Life is using space at Best Friends and asked for an update on the hiring of a veterinarian for the Harbor shelter.
- **Paul Darrigo** - suggested adding extra kennels similar to an earthquake scenario to prepare for the Fourth of July holiday. Also stated that he provided a list of pending repairs from General Services to the facility coordinator.
- **Brian Gilles** - spoke about the kennel cards at West Valley shelter and stated that the back door is still broken.
- **Michelle Cornelius** - asked for clarification on the start date for the new lifesaving liaison coordinator at West Valley.

- **Whitney Smith** - stated that incorrect data is due to the lack of follow-up for animals that are in foster care.
- **Cathy Serksnas** - asked if the Department is going to have the Foster for the Fourth program this year and spoke about the lost pets listed on the website.
- **Jeff Mausner** - spoke about the kennel cards and the broken gate at the West Valley shelter.

5. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS

Commissioner Gross:

- Asked the Department to update the Spanish pamphlet for the cat limits on the website.

Commissioner Cohen:

- Absent.

Commissioner Finsten:

- None.

Commissioner García:

- None.

Commissioner Sandoval:

- Requested a report back on the licensing canvasser program.

Public Comment was made by:

- **Claudio Kusnier** - stated that all the supplies needed for the kennel cards are at the shelter.
- **Whitney Smith** - asked the Commissioners to visit the shelters and report back on their conditions.
- **Paul Darrigo** - suggested that the Commissioners create a document of their visit to the shelters and spoke about the kennels at North Central that need repair.
- **Gail Raff** - asked the Commissioners to prioritize the needs of the animals.

6. BOARD REPORTS

A. Oral Report on the Shelter Operations at East Valley (Information Item)

ACT Supervisor Shawn Colon provided an oral report on the Shelter Operations at East Valley.

Public Comment was made by:

- **Claudio Kusnier** - spoke about volunteers not being allowed to assist with

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adoptions on weekdays.

- **Paul Darrigo** - stated that the Department of Water and Power is going to assist by sending an email blast through their social media and recommended that volunteers assist with adoptions.
- **Dave Moskowitz** - expressed gratitude for the Department's work with the spay/neuter of rabbits.
- **Michelle Cornelius** - spoke about the overpopulation at the shelters and recommended a notice be placed on kennels for dogs who are available to foster.
- **Jeff Mausner** - asked the Commissioners to reach out to the Mayor's office to advise them of the homeless situation outside of the shelter and spoke about the additional funding the Department will be receiving to the sterilization fund.
- **Cathy Serksnas** - asked the Department to visit the West Valley shelter to ensure that the water mains are not being used by the homeless outside of the shelter.
- **Gail Raff** - stated that rescue partners need to step up and assist with fostering cats and kittens.
- **Deb Vigna** - asked for clarification of the Department's intake policy and the plans for the Fourth of July.
- **Whitney Smith** - suggested that food from the Pet Food Pantry be provided to those who are feeding cats from the Community Cat Program.

ADJOURNMENT

Meeting adjourned at 12:35 p.m.

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ANNETTE G. RAMIREZ
INTERIM GENERAL MANAGER

CURTIS R. WATTS
ASSISTANT GENERAL MANAGER
Administration

DR. JEREMY PRUPAS
CHIEF VETERINARIAN

Report to the Board of Animal Services Commissioners

MEETING DATE: June 28, 2022

PREPARED BY: Annette Ramirez

REPORT DATE: June 17, 2022

TITLE: Interim General Manager

**SUBJECT: ACCEPTANCE OF A \$50,000 GRANT FROM THE ANNENBERG FOUNDATION
INTO THE ANIMAL WELFARE TRUST FUND AND ANIMAL STERILIZATION FUND**

BOARD ACTION RECOMMENDED:

1. **ACCEPT** a \$50,000 grant from the Annenberg Foundation for restricted purposes on behalf of the City of Los Angeles Department of Animal Services;
2. **APPROVE** the deposit of these funds into the applicable Appropriation Accounts within the Animal Welfare Trust Fund – Fund No. 859 and Animal Sterilization Fund – Fund No. 842, designated for the grant's restricted purposes;
3. **FORWARD** the acceptance of these grant funds to the Mayor and City Council for approval; and
4. **APPROVE** the disbursement of these funds in accordance with the provisions of the Animal Welfare Trust Fund and Animal Sterilization Fund.

SUMMARY

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

On April 30, 2022, the Department of Animal Services was selected to receive a grant in the amount of \$50,000 from the Annenberg Foundation. These funds will be utilized strictly for lifesaving programs which support the Human Animal Support Services programs to keep families together and animals out of the shelter and in homes as well as for spay and neuter programs to sterilize owned pets. Funding will not be utilized for staffing.

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Visit our website at www.LAAnimalServices.com

Report to the Board of Animal Services Commissioners
SUBJECT: ACCEPTANCE OF A \$50,000 GRANT FROM THE ANNENBERG FOUNDATION INTO
THE ANIMAL WELFARE TRUST FUND AND ANIMAL STERILIZATION FUND

The grant is to be dispersed as follows:

- \$25,000 for the Animal Welfare Trust Fund
- \$25,000 for the Animal Sterilization Fund

FISCAL IMPACT:

There will be no financial impact to the General Fund. The funds from this grant will be deposited into the Animal Welfare Trust Fund and Animal Sterilization Fund and disbursements will be made pursuant to the provisions of the Funds.

Approved:



Annette G. Ramirez, Interim General Manager

Attachment

BOARD ACTION:

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



May 20, 2022

Ms. Annette Ramirez
Interim General Manager
City of Los Angeles Department of Animal Services
221 N. Figueroa Street 6th Floor, Suite 600
Los Angeles, CA 90012

Dear Ms. Ramirez:

As Chairman of the Board, President and CEO of the Annenberg Foundation, I am pleased to confirm a payment from the Annenberg Foundation for \$50,000.00 as a contribution for the charitable purposes of the City of Los Angeles Department of Animal Services. It is the full payment on the \$50,000.00 unrestricted commitment made by the Annenberg Foundation.

Please note that any printed listing of the funding entity should acknowledge the Annenberg Foundation as the donor.

On behalf of the Annenberg Foundation, I wish you much success.

Sincerely,

Wallis Annenberg

Chairman of the Board, President and CEO

Please send any correspondence related to this grant via email to:

23-c24b13-14b570-com2-d012ba7@smartsimple.com

Enclosure

Commitment # 22-196

BOARD OF
DIRECTORS

Wallis Annenberg
*Chairman of the Board,
President & CEO*

VICE PRESIDENTS
& DIRECTORS

Lauren Bon

Gregory Annenberg
Weingarten

Charles Annenberg
Weingarten

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Page: 1

Vendor ID	Vendor Name	Check Name		Payment Number	Check Date	Check Number	
CIT036	City of Los Angeles Department of	City of Los Angeles Department of Animal		126092	5/20/2022	EFT000000003130	
Our Voucher Number	Your Voucher Number	Date	Amount	Amount Paid	Discount	Writeoff	Net
0000106733	22-196	5/19/2022	\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00
			\$50,000.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00

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Report to the Board of Animal Services Commissioners

MEETING DATE: June 28, 2022

PREPARED BY: Annette Ramirez

REPORT DATE: June 23, 2022

TITLE: Interim General Manager

SUBJECT: APPROVAL OF LETTER OF AGREEMENT WITH HEAVEN ON EARTH ANIMAL CLINIC FOR PARTICIPATION IN THE CITYWIDE CAT PROGRAM TO PROVIDE SPAY/NEUTER SERVICES FOR FREE ROAMING CATS

BOARD ACTION RECOMMENDED:

1. **APPROVE** the execution of Letter of Agreement, a template of which is attached to this Report, between the City of Los Angeles through the Department of Animal Services and the below-listed veterinary care provider for participation in the Citywide Community Cat Program to provide spay/neuter services for community cats:
 - Heaven on Earth Animal Clinic
2. **AUTHORIZE** the Department's General Manager or her designee to execute the Letters of Agreement and submit them to the City Attorney for review and approval as to form.

BACKGROUND:

The City of Los Angeles adopted a Citywide Cat Program (CCP) declaring that trap, neuter, return (TNR) is the preferred method of addressing the free-roaming cat population and the City's official policy. The CCP also authorized the Department to implement a voucher system to subsidize the spaying and neutering of free-roaming cats separately from owned pets. The voucher program is designed to authorize veterinary care providers to accept Department issued vouchers and authorities for expenditure for the sterilization of free-roaming cats trapped by authorized participants in the Citywide Cat Program. Veterinary providers must enter into a letter of agreement to provide spay/neuter services and accept the (CCP) vouchers.

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SUBJECT: APPROVAL OF LETTER OF AGREEMENT WITH HEAVEN ON EARTH ANIMAL CLINIC FOR PARTICIPATION IN THE CITYWIDE CAT PROGRAM TO PROVIDE SPAY/NEUTER SERVICES FOR FREE ROAMING CATS

SUMMARY:

The Department is requesting the Board’s approval of the Letters of Agreement with the following veterinary care providers:

- Heaven on Earth Animal Clinic

Each Letter of Agreement will take the form of the template attached to this Report and will set forth the terms and conditions of the CCP. Each Letter of Agreement will carry a term of one year with optional renewal for two additional one-year terms at the Department’s sole discretion.

FISCAL IMPACT:

There is no fiscal impact to the general fund. The cost of the CCP will be used from the Community Cats Fund, Fund No. 842.

Approved:



Annette G. Ramirez, Interim General Manager

Attachment

BOARD ACTION:

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



CITY OF LOS ANGELES – DEPARTMENT OF ANIMAL SERVICES



SPAY & NEUTER VOUCHER PROGRAMS VETERINARIAN PARTICIPATION AGREEMENT

This Letter of Agreement (“Agreement”) is for veterinarians that wish to participate in the Department of Animal Services (“Department”) Spay & Neuter Voucher Programs (“Programs”), which is a series of sterilization programs for owned dogs, cats and rabbits belonging to residents of the City of Los Angeles (“City”) and for free-roaming cats in the City. Under the Programs, authorized veterinary care providers accept Department-issued vouchers and authorities for expenditure for the sterilization of dogs, cats and rabbits owned by City residents and sterilization of free-roaming cats trapped by authorized participants in the Citywide Cat Program.

Veterinary Care Provider: _____ (“Provider”)

For the purposes of this Agreement, the following words and phrases are defined as follows:

“Authority for Expenditure” or **“AFE”** shall mean a document issued by the Department to facilitate payment for specific sterilization services on City owned or redeemed animals.

“Citywide Cat Program Voucher” or **“CCP Voucher”** shall mean a \$70 Voucher for the sterilization of a free-roaming cat in a colony or area located in the City of Los Angeles.

“City Animal” shall mean a dog, cat or rabbit owned by the City and available for adoption.

“Discount Coupon” shall mean a \$30 Cat Discount Coupon or a \$50 Dog/Rabbit Discount Coupon for sterilization services issued by the Department to City residents for the sterilization of an Owned Animal. Discount Coupons may be used to cover full or partial cost of sterilization off the Provider’s regular cost of sterilization.

“Free Certificate” shall mean a \$70 Cat Free Certificate or \$125 Dog/Rabbit Free Certificate for sterilization services issued by the Department to low-income City residents for sterilization of an Owned Animal. A Free Certificate covers the full cost of sterilization.

“Free-Roaming Cat” shall mean unowned roaming cats, including feral and stray cats.

“Neuter” or **“Neutering”** shall mean the castration of animal testicles.

“Owned Animal” shall mean a cat, dog or rabbit owned by a member of the public who resides in the City but excludes any free-roaming cat.

“Spay” or **“Spaying”** shall mean the surgical removal of animal ovaries and/or uterus, also known as an ovariectomy.

“Sterilization,” “Sterilize” and **“Surgery”** shall mean the Spaying or Neutering of an animal. All sterilizations shall include: (a) a physical examination of the animal, (b) all vaccines and anesthesia required during hospitalization or before surgery, (c) all after-care including suture removal, licking problems, infections, and other normal procedures.

“Voucher” shall mean a Discount Coupon, Free Certificate, or CCP Voucher issued by the Department to a City resident for the sterilization of an owned animal.

In order to participate in the Programs, Provider understands and agrees to the following terms and conditions:

1. Program Participation

- a. Provider agrees to participate in the Programs indicated in Exhibit A, “Spay & Neuter Programs Available to Provider,” by accepting Department-issued Vouchers or AFEs for future reimbursement to perform sterilization surgeries on dogs, cats, and rabbits owned by

City residents, and on free-roaming cats within the City. Provider will be included on a list of participating veterinarians provided by the Department to Voucher and AFE recipients.

b. Spay/Neuter Voucher Programs

- i. Animal owners will transport their owned animal to the Provider along with a Voucher and pick up the animal from Provider after sterilization surgery is completed.
- ii. Vouchers are non-transferable, are not valid beyond the printed expiration date, and must be presented to Provider at the time of sterilization. Discount Coupons and Free Certificates may only be used for owned cats, dogs, and rabbits and are not valid for the sterilization of free-roaming cats. CCP Vouchers may only be used for free-roaming cats. Only one Voucher may be used per animal per sterilization. Vouchers cannot be used for any veterinary service other than sterilization, nor in combination with any other program.
- iii. Provider may charge an animal owner a reasonable co-payment when accepting a Discount Coupon. **Provider shall not charge an animal owner any co-payment or additional fees for sterilization, uterine infections, pregnancy, estrus, retained testicle(s) or animals weighing more than 50 pounds when accepting a Free Certificate or CCP Voucher.** The Department shall not be responsible for any costs in excess of the face value of a Voucher.

c. Authority for Expenditure Program

- i. Department staff will transport the animal, or in cases of deferred sterilization approved by the Department the animal owner will transport the animal, to the Provider along with an Authority for Expenditure, and pick up the animal from Provider after sterilization surgery is completed.
- ii. Provider shall not charge any additional fees or co-payments for the sterilization of City Animals, including physical examination, routine hospitalization vaccines and after-care such as suture removal licking problems, infections, and other normal procedures. Provider may charge animal owners an additional surgical fee for animals that are obese, geriatric, pregnant, or exhibit uterine infections, estrus, retained testicles(s), or hernias. Such additional costs must be reasonable and **Provider shall obtain prior authorization from the animal owner prior to treatment.** The Department shall not be responsible for any costs in excess of the face value of an AFE.
- iii. Provider shall obtain prior authorization from the Department if a City Animal requires additional medical treatment. If the Department does not authorize the additional treatment and Provider is unable to perform the sterilization, Department staff will retrieve the animal. Provider shall absorb all costs of treatment provided without prior approval from Department.
- iv. If the animal is deemed temporarily unsuitable for sterilization, **Provider shall obtain prior authorization from the adoptive owner prior to treatment,** and if the owner elects treatment, the fees will be the responsibility of the owner. The Department shall not reimburse the owner or Provider for veterinary fees not authorized by the Department in writing. The owner may elect to return the animal to the Department. Provider shall notify the Department if the owner fails to pick up the animal.
- v. For adoption events, City Animals will be brought to Provider for sterilization along with an AFE by Department staff and picked up on the same or following day after the sterilization in accordance with the arrangement made between Provider and Department. Provider

will notify the Department if an animal is unfit for surgery and the Department will retrieve the animal from the Provider.

2. AFE/Voucher Reimbursement Amounts & Billing

- a. The Department will reimburse Provider the face value of Vouchers and AFEs in the following amounts:

Authority for Expenditure		Male/Female
	Dogs	\$125
	Cats	\$70
	Rabbits	\$125
Discount Coupon – Cats		\$30
Discount Coupon – Dogs & Rabbits		\$50
Free Certificate – Cats		\$70
Free Certificate – Dogs & Rabbits		\$125
Citywide Cat Program Voucher (CCP Voucher)		\$70

- b. Upon completion of sterilization, Provider shall request reimbursement for services rendered by using the Department's **online Vet Portal System** available at <https://lacityvet.com/>. Instructions for the Vet Portal can be located on the website under the "Help" Tab. If Provider cannot utilize the Vet Portal System, Provider should contact the Department for further guidelines on the submission of billings. **When entering the CCP Vouchers into the Vet Portal, Provider must select the sex of the cat in addition to providing the date of surgery.**
- c. The required sections of Vouchers and/or AFEs shall be completed by Provider and originals mailed to the **Department of Animal Services, 221 North Figueroa Street, STE 600, Los Angeles CA 90012, Attn: Accounting Section**. Vouchers or AFEs submitted without surgery date, veterinarian's name and address, or signature will be returned for completion.
- d. Billing must be submitted within 60 days of sterilization or they will not be reimbursed by the Department. Billings received after the 10th of each month will be processed the following month. All payments are subject to review and approval of Provider's full documentation and work performance by the Department.
- e. A photocopy of the Vouchers and/or AFEs shall be retained on file by Provider at its facility for a minimum of three (3) years. Signed, completed Vouchers and/or AFEs shall serve as proof of each service performed and billed to Department
- f. Vouchers and/or AFEs have no face value until Provider completes the work, certifies by signature that the work is completed, and requests payment in the manner prescribed by the Department.
- g. Department will make all reasonable efforts to pay Provider each month for services rendered in the previous month as long as original invoices and supporting documentation are received on time as indicated therein.

3. Provider Responsibilities

- a. Provider shall ensure that the person named on a Voucher or AFE is the same person requesting sterilization services, verifying identity with a Photo ID, and ensure that the

Voucher or AFE has not been transferred. Provider shall ensure that the person named on a CCP Voucher is affiliated with any organization named on the CCP Voucher.

- b. Provider has a duty to check, within reason, that no more than three Discount Coupons, Free Certificates, or AFEs have been issued to any one individual for more than three owned cats or three owned dogs and will notify the Department of any irregularities. No limitation exists on the number of CCP Vouchers used by an individual or organization.
- c. Provider shall report to the Department within 5 business days all unexpected deaths of City Animals that occur under the care and control of the Provider by submitting a completed Incident Report. A blank Incident Report form is attached as Exhibit B.
- d. Provider may reject or re-schedule an animal's sterilization surgery if Provider determines that the animal is unfit for sterilization or sterilization.
- e. Provider shall report any abuse, fraud or suspected abuse or fraud by animal owners or recipients of CCP Vouchers.
- f. Provider shall follow the mandates of the California Veterinary Medicine Practice Act. Providers care of animals in its custody shall be in conformance with all federal, state, and local humane laws and statutes.
- g. Provider shall maintain all licenses and permits, required to provide the services herein, including the following: Veterinary Premise Permit, as required by the California Veterinary Medical Board; Veterinarian License; Controlled Substance Registration Certificate, as required by the U.S. Drug Enforcement Administration (DEA); and City of Los Angeles Business Tax Registration Certificate. Provider shall provide all materials, equipment, and personnel and shall bear all costs for any necessary permits, insurance, and taxes required to perform sterilization services.
- h. Provider shall acquire and maintain insurance coverage and liability limits of a type and in an amount for premises liability, malpractice, and such other insurance as is customary for licensed California veterinarians in the Los Angeles area, with one or more financially sound and reputable insurance companies and provide proof of such insurance to the Department upon request.

4. Agreement Term & Termination

Unless terminated sooner, this Agreement shall commence upon signing by Provider, and shall terminate **one (1)** year thereafter, and may be renewed for up to two (2) additional one-year terms by City. If the terms herein are updated, a new Agreement will be sent to the Provider for execution at the time of renewal and must be executed by the Provider if the Provider wishes to remain in the Programs.

The Department or Provider may terminate this Agreement at any time by providing fifteen (15) days prior written notice. If Provider fails to abide by any of the terms or conditions of the Agreement, the Department may give Provider a written notice to cure. If not cured within 30 days after notice (forthwith for a default involving sanitary or safety conditions) or reasonable progress to cure is not made, the Department may terminate the Agreement and suspend sending animals to Provider.

5. Indemnity, Release of Liability, and Assumption of Risk

Provider understands that the behavior of domestic animals is unpredictable and that domestic animals are capable of spreading disease, inflicting serious personal injury, causing extensive property damage, and/or causing death. Knowing the risk of handling domestic animals, nevertheless, Provider agrees to assume those risks and agrees to assume full responsibility for personal injury, property damage suffered and/or death sustained as a result of, or in connection with, its participation in the Programs.

Except for the active negligence or willful misconduct of the City, the Department, or any of their officers, agents, employees, assigns and successors in interest, Provider shall defend, indemnify and hold harmless the City, the Department and any of their officers, agents, employees, assigns and successors in interest from and against all lawsuits and causes of action, claims, losses, demands and expenses, including, but not limited to, attorney's fees (both in-house and outside counsel) and costs of litigation (including all litigation costs incurred by the City, including but not limited to costs of experts and consultants, damages or liability of any nature whatsoever, for death or injury to any person, including Provider's employees and agents, or damages or destruction of any property of either party hereto or of third parties, arising in any manner by reason of an act, error, or omission by Provider, including its boards, officers, agents, employees, assigns, and successors in interest. The rights and remedies of the Department and the City provided in this Paragraph shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement. This provision shall survive expiration or termination of this Agreement.

6. Maximum Annual Amount Paid to Provider

The amount to be paid to the Provider by the Department under this Agreement shall not exceed either \$25,000 in Vouchers or \$25,000 in AFEs annually.

I declare under penalty of perjury that I am authorized to enter into this Agreement on behalf of the Provider and that all information provided herein is true and correct. I further declare that I have fully read, understand, and agree to the terms and conditions of this Agreement on behalf of Provider. This agreement supersedes all prior agreements.

Name of Veterinarian Hospital/Clinic (Print)

Veterinarian/Owner or Authorized Representative (Print)

Veterinarian/Owner or Authorized Representative (Signature)

Date

Location (Address) _____

Phone Number _____ E-mail address _____

City Business Tax License No. _____ IRS Taxpayer ID No. _____

EXHIBIT A

SPAY & NEUTER PROGRAMS AVAILABLE TO PROVIDER

The following Programs are available for Provider participation. Please place an "X" next to the Program(s) in which Provider will be participating.

- **The Pre-Release Spay/Neuter Program** is for dogs and cats adopted from the Department. The animals are transported by the Department staff to the Provider for surgery along with AFE (valued at \$125 for dogs and \$70 for cats) and are picked up from the Provider by the owner at the designated time set forth by the Provider. Surgery arrangements are made between Provider and Department based upon number of animals available for sterilization and hours of drop-off to the Provider's facility.
- **The Post-Release Spay/Neuter Program** is for dogs and cats adopted from the Department that cannot be sterilized at the time of adoption due to medical reasons. The animals are brought to the Provider by the owner for sterilization when medically safe. The AFE (valued at \$125 for dogs and rabbits and \$70 for cats) is surrendered by the owner to the Provider at the time of sterilization.
- **The Pre-Adoption Spay/Neuter Program** is for dogs, cats and rabbits that are being sterilized for special adoption events. The animals are brought to the Provider by Department staff along with the AFE (valued at \$125 for dogs/rabbits and \$70 for cats) and picked up on the same or following day after sterilization in accordance with the arrangement made between Provider and Department. Sterilization arrangements are made between Provider and Department based upon the number of animals available for sterilization and hours of drop-off to the Provider's facility.
- **The Rabbit Spay/Neuter Program** is for rabbits that are adopted from the Department. Rabbits are brought to the Provider by Department staff along with the AFE (valued at \$125) and picked up by the owner at the designated time set forth by the Provider. Surgery arrangements are made between Provider and Department based upon number of animals available for sterilization and hours of drop-off to the Provider's facility.
- **The Discount Coupon Spay/Neuter Program** is for owned dogs, cats, and rabbits. Discount Coupons (valued at \$30 for cats and \$50 for dogs/rabbits) may be used to cover full or partial cost of sterilization off the Provider's regular cost of sterilization. **The Discount Coupon is for pet owners only – free roaming cats, free roaming dogs and Rescue Group animals do not qualify for this Program.**
- **The Free Certificate Spay/Neuter Program** is for owned dogs, cats, and rabbits. The Free Certificate (valued at \$70 for cats and \$125 for dogs/rabbits) covers the full cost of sterilization. No co-payment or additional fees for sterilization, uterine infections, pregnancy, estrus, retained testicle(s) or weighing more than 50 pounds shall be charged. **The Free Certificate is for pet owners only – free roaming cats, free roaming dogs and Rescue Group animals do not qualify for this Program.**
- **The Citywide Cat Program Spay/Neuter Program** is for free-roaming cats that have been trapped within the City of Los Angeles. The Citywide Cat Program Voucher (valued at \$70) covers the full cost of sterilization. No co-payment or additional fees for sterilization, uterine infections, pregnancy, estrus, and retained testicle(s) shall be charged. **Owned cats do not qualify for this Program.**



**CITY OF LOS ANGELES – DEPARTMENT OF ANIMAL
SERVICES**



**SPAY & NEUTER VOUCHER PROGRAMS
VETERINARIAN PARTICIPATION AGREEMENT**

**THE CITY OF LOS ANGELES,
DEPARTMENT OF ANIMAL SERVICES**

By _____
Annette G. Ramirez, Interim General Manager

Date: _____

**APPROVED AS TO FORM:
MICHAEL N. FEUER, City Attorney**

By _____
Steve R. Houchin, Deputy City Attorney

Date: _____