SPECIAL COMMISSION MEETING, 10:00 A.M.

Commissioner Riordan called the meeting to order at 10:17 a.m. Members present were Commissioners Khero, Riordan, and Rubalcava. Commissioner Metz was absent.

At 10:18 A.M. the meeting was interrupted while a member of the public was escorted out of the meeting and did not resume until 10:31 A.M.

1. REPORT OF THE GENERAL MANAGER

General Manager Sharon Morris, reported as follows:

A. Alternative Animal Turn-In Form: The Department sent notices to all the rescue organizations it works with and sixteen agreed to be placed on the form.

B. Animal Relinquishment Form: Ms. Morris confirmed that the form indicates, in both Spanish and English, that the Department may not be able to get their animal adopted and that it is quite possible that their animal will be euthanized.

C. Letter from PETA: Ms. Morris reported that in response to a show released about PETA and their position on many humane issues, the organization called the Department to say that the show misrepresented their position on municipal animal shelters. The Department has received a written statement from PETA indicating they understand the position of municipal shelters with respect to why euthanasia occurs in their facilities.

D. National Dog Bite Prevention Week: A press release was issued. Channel 5 televised a segment of their news broadcast this morning addressing dog bit prevention and also promoting animal adoption by showcasing some animals from the East Valley Animal Shelter.
E. **Canine Court Update:** The Mayors’ Proposed Budget for Fiscal Year 2004-05 anticipated moving the LAAS Administrative Hearing Program to the Office of the City Attorney. The City Attorney is offering a program called Canine Court to address the procedure for handling a barking dog complaint. The Department is working with the City Attorney to find a way that City residents can be given a choice to be processed through either mediation or the Canine Court proceedings. If no agreement is reached, the disputing parties will resort to the LAAS Administrative Hearing process. The City hopes to have the Canine Court program in place by July 2004.

F. **South Los Angeles “Dog” Update:** Ms. Morris indicated this would be the last time this issue would be addressed and provided a timeline of the animals staying in the shelter. Ms. Morris reported as follow:

- Date of Impound: January 23, 2004
- Notice sent to animal owner: January 23, 2004
- Number of contacts made to relative posing as animal owner: 7
- Duration period of the 7 contacts: 77 days
- Number of animals involved: 3
- Number of animals adopted: 2
- Number of Animals Euthanized: 1

G. **Credit Card Implementation:** The Department started taking credit cards at the West Los Angeles and Harbor Shelters. Implementation is scheduled for Wednesday, May 26, 2004, at the North Central Shelter. The East Valley, West Valley and South Los Angeles shelters will be equipped by June 2004. Commissioner Rubalcava credited Assistant General Manager Regina Adams for her role in handling the project through its completion.

H. **Board Action Update Reports:** Provided a status report on various items that have been before the Commission.

I. **Los Angeles Animal Services Commission Updates:** The Department will begin the updates at the June 26, 2004 Commission meeting with coyote wildlife issues.

J. **Third Party Complaints:** The Department will no longer be responding in public to third party complaints.

**Public Comment:**

**Daniel Guss:** Received a letter from the Department of Justice and stated Ms. Morris was going to have to respond to them.

**Zsuzsa Blakely:** Feels the PETA letter may not be giving a compassionate response and the author is dedicated to the murder and extermination of all pit bulls and feral cats. The constant propaganda about animal overpopulation in the City of Los Angeles is bogus. There is documentation showing that Department staff have gone onto City resident’s property, stolen

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people’s dogs, and encouraged others to have their animals euthanized.

Mary Catalano: Shelter staff is slow to adopt out animals, but are quick to take in owner-surrendered animals. Expressed her opinions relative to Agenda Item 1F.

2. COMMISSION BUSINESS

A. Approval of Minutes for the meeting of April 12, 2004 – Commissioner Rubalcava moved to approve the minutes for the meeting on April 12, 2004. Commissioner Khero seconded the motion. The motion was approved by a 3:0 vote.

B. Approval of Minutes for the meeting of April 26, 2004 – Commissioner Rubalcava moved to have the minutes for the meeting on April 26, 2004 held over until the next Animal Services Commission Meeting. Commissioner Khero seconded the motion. The motion was approved by a 3:0 vote.

C. Approval of Minutes for the meeting of May 10, 2004 - Commissioner Rubalcava moved to have the minutes for the meeting on May 10, 2004 held over until the next Animal Services Commission Meeting. Commissioner Khero seconded the motion. The motion was approved by a 3:0 vote.

D. Meetings/Events Attended – None to Report

E. Consideration of Future Agenda Items – None to Report

Public Comment

Phyllis Daugherty, Animal Issues Movements: Mentioned the LA Pearls meeting held by the City Attorney.

3. REGULAR AGENDA ITEMS

A. Nominations for Board President & Vice-President of the Board of Animal Services Commissioners. Commissioner Rubalcava made a motion to hold the nominations until the next commission meeting so the entire Commission could be present. Commissioner Khero seconded the motion. The motion passed unanimously.

B. Discussion/Vote: Location & Time Change for Future Board of Animal Services Commission Meetings. The Department presented a report to the Commission, which contained information on other City Commissioners in regards to the days, times, and locations where they meet. Also included in the report was information on the price of parking near City Hall. Commissioner Rubalcava requested the meetings begin at 9:00 a.m.

Public Comment:

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Jeff Fleiss, United Animals Rescuers: Complained about not being allowed to provide his taped Commission meetings to Channel 35.

Daniel Guess, Stand Foundation: Complained about Commissioner Metz not attending meetings. Will be filing a complaint to the Department of Justice. President of the Commission should have at least two years of service on the Commission.

Mary Catalano: Would like Commission meetings to be held in the evenings.

Phyllis Daugherty, Animal Issues Movement: Would like the meetings to be held at 9:00 a.m. in City Hall. Night meetings are not well attended unless an important issue is discussed.

Commissioner Rubalcava motioned to move the meetings to City Hall at 9:00 a.m. Commissioner Khero seconded the motion. Motion carried unanimously.

C. Vote: Approval of the Revised Adoption Agreement

The revised Adoption Agreement described options available to the adopter before taking the animal home. Commissioner Rubalcava requested that the availability of pet insurance is placed on the agreement. Ms. Morris explained the insurance was outside the scope of responsibility for the City and it would not be printed on the Adoption Agreement but is available in the shelters.

Public Comment:

Mary Catalano: Thanked the Commission for the pet insurance. Complained that staff is not informing the public of pet insurance.

Commissioner Rubalcava made a motion to approve the Adoption Agreement. Commissioner Khero seconded the motion. Motion passed unanimously.

D. Vote: Proposed Rules for Board of Animal Service Commissioners’ Meetings

Rules are based on the Rules of the City Council modified to reflect the Commission.

Public Comment:

Daniel Guss, Stand Foundation: The Commission should figure out what they are going to do for emergency situations.

Zsuzsa Blakely: One minute is too short for people to speak. Objects to the General Manager imposing her own rules.

Commission recessed for a few minutes to handle a situation.

Mary Catalano: One minute is not enough time to speak.

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Commissioner Riordan was concerned with the Board President not being allowed to make motion. Ms. Morris explained that under Roberts Rules of Order, the President could always hand off the meeting to the Vice-President for a specific issue.

Commissioner Rubalcava motioned to accept the rules. Commissioner Khero seconded the motion. Motion passed unanimously.

E. Update: $100 Unaltered Dog Licensing Deposit

Commissioner Riordan handed the meeting to Commissioner Rubalcava for this item. Ms. Adams indicated the Department is still reviewing refunds of $94.50 to the rescue organizations. As of last fiscal year 17 rescue organizations obtained refunds. In the current fiscal year 30 refunds were processed out of 85 that were eligible. This item is being worked on in conjunction with the Participant Shelter Ordinance.

Commissioner Riordan is concerned with the time and paperwork it takes to obtain a refund. Believes the waiver should be provided to rescue organizations because State Laws allows the Department to do it.

Ms. Morris wanted it understood that the $100 Unaltered Dog License fee is a fee and is not a deposit. An ordinance change is required to waive the fee.

Public Comment

Terry Austin, Amanda Foundation: Her understanding that most animals are taken out because they are ill or injured and cannot be sterilized. The animals will require a lot of expenses to have them brought back to health and doesn’t see the sterilization fee as a deterrent knowing you are going to have to put money into bringing the animal back to health.

Scott Sorrentino: Agrees with everything Commissioner Riordan said. Resistance of the Department to adopt change is in conflict with State Law. Stated the City Attorney did not see a problem with the Department removing the fee.

Lisa Janes, Life 4 Paws: Her group has not processed any request for license refunds because they were not provided with instructions or paperwork on how to obtain a license fee refunded.

Mary Catalano: Licenses are not transferable. It is a waste of time to charge rescue groups. Was not allowed to use a gift certificate to rescue an animal.

Daniel Guss, Stand Foundation: Do not charge rescue groups a license fee.

Phyllis Daugherty, Animal Issue Movement: Animals do cost a lot to take out of the shelter when they are sick. The license fee is for the security of the animals. Waiving the fee

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violates the state law.

Commissioner Rubalcava indicated that if anyone disrupts the meeting they would be asked to leave.

**Sheryl Greene, Cat Crossing:** Phyllis Daugherty is incorrect. State and City laws allows for waivers to be provided rescue organizations.

**Zsuzsa Blakely:** Rescue communities supported the ordinance because it was going to save life. The Department misuses the ordinance. Nothing authorizes the Department to charge anyone the $100 license fee.

Commissioner Riordan requested a vote to amend the policy. Ms. Morris indicated that the Commission would not vote on anything at this time because it was only to be an update and to vote on it now would be a violation of the Brown Act. Commissioner Rubalcava is waiting for information from the City Attorney before any action is taken. Commissioner Riordan requested that this item be placed on the next agenda for a vote.

Commissioner Riordan requested a five-minute recess.

Commissioner Riordan made a motion to waive the $100 fee at the next agenda meeting. Commissioner Khero seconded the motion. Motion passed unanimously.

**GENERAL MANAGER RECOMMENDS FOR BOARD ACTION**

F. Board Report: A Continuation of the Pilot Feral Cat Program Trap, Neuter and Return (TNR)

Mary Carbajal, Sterilization Program Manager, requested the Pilot Feral Cat Program continue through January 2005, working with Actors and Others for Animals, Best Friends, and Feral Cat Alliance. Ms. Carbajal provided an update on what has occurred with the program since it started in January 2004.

Sue Taylor, Actors and Others for Animals, thanked the Department for having the pilot feral program. Actors and Others provides an additional pledge to the Discount Coupons the Department offers, paying for the entire surgeries for the feral cats.

**Bill Dyer, In Defense of Animals:** Appreciates the Department having a feral cat program. Should be publicized at shelters.

**Terry Austin, Amanda Foundation:** Hopes the Commission continues the program. Likes to see a program where the Department and rescue groups works together.

**Betty Denny Smith, CEPO:** Thinks it is a wonderful program that should be extended.

**Scott Sorrentino:** Glad there is a program. Would like the Department to move towards and

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official TNR policy for the City. Likes to see the Department and rescue organizations working together.

Dr. Travis Longcore, Urban Wildlands Group: The program is affecting the wildlife community. Concerned with affect on feral cat colonies on wildlife (birds, small mammals). Should ensure the colonies being taken care of are not high wildlife areas.

Joyce Pieper, Actors and Other, CEPO: Feral cats are not an issue when it comes to eating birds, would like to see any facts, Dr. Longcore has. Trapping the feral cats is keeping the feral cats down. Would like the program continued.

Sheryl Greene: Food and Agricultural Codes states that no City or County Society for the Prevention of Cruelty to Animals or humane society is subject to any civil action by the owner of a cat that is spayed or neutered in accordance with this section.

Commissioner Riordan made a motion to continue the pilot feral cat program through January 2005, Commissioner Khero seconded the motion. Motion passed unanimously.

Commissioner Rubalcava commended everyone involved in the program for working together.

G. Board Report: Pet Overpopulation Ordinance

Susan Taylor with Actors and Other for Animals explained how their work with Breeders resulted in their organization finding loopholes with the ordinance. Actors and Others brought the concerns to the Department, which resulted in the current Board Report and requested changes.

The Department is recommending the following issues be changed in the current ordinance:

- Animals should be microchipped when there is a violation.
- Fines for violation be increased.
- Issue Puppy/kitten permits.

Ms. Taylor requested the following be added to the Board Report:

- On Page 5, under “D: “persons who from time to time, but not on a regular basis who have rescued a puppy or kitten, under the age of four months, and whose sole purpose is giving away or adopting said puppy or kitten is to find a suitable home than the General Manager may establish conditions and procedures under this prohibition to ensure that said puppy or kitten meet these criteria”.
- “Under no circumstances should said permit be issued to anyone convicted of animal cruelty or neglect”

Commander Diliberto indicated that the City Attorney has not reviewed the language of the

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ordinance changes. The Department would like to tighten up the language to ensure a person does not find a way around the ordinance.

Commissioner Riordan requested that people who obtain a breeders permit must have their animal’s microchipped at the owner’s expense.

**Phyllis Daugherty, Animal Issues Movements:** Forcing someone to microchip an animal is difficult. It should be a separate offense.

**Betty Denny Smith, CEPO:** Concerned with Section D. Important the City does not become the City that penalizes a good samaritan for rescuing an animal.

**Sheryl Greene, Cat Crossing:** Should not pass the board report without reviewing AB 2513.

**Susan Taylor, Actors and Others:** Familiar with AB 2513, which is not law yet, only applies to public property. The board report applies to private property also.

**Joyce Peiper, CEPO:** Urges Commission to pass what is before them.

Commissioner Rubalcava made a motion to accept the proposal from the Department and would not like to add or subtract anything from the proposal at this time. For the kitten and puppy permit he would like the Actors and Others additions made, especially D4 and E be added to the current proposal and accept the recommendations. Commissioner Khero seconded the motion with a concern that the language is open ended and needs to be tightened up. Commander Diliberto agreed with the comment. Motion passed unanimously.

**H. Board Report: Participant Shelter Program Proposal:**

Ms. Morris is proposing that the Department be allowed to move forward with the portion of the ordinance that deals with other municipalities, counties, humane societies and SPCA in allowing them to take animals from our shelters that they will adopt in their communities. The proposal would allow the animals to be taken without a microchip if they have their own program and would waive other fees. There would be no problem with these groups taking unaltered animals because these groups will have a spay and neuter program in place. The other two portions of the proposals had to do with private individuals and rescue groups. The Department is recommending that private individuals be removed from the program. Currently there are so many programs for the rescue groups the Department wants to streamline everything at one time and is recommending a task force to work out the details.

**Public Comment:**

**Mary Catalano:** Thrilled to give the animals to other communities.

**Scott Sorrentino:** Supports the recommended proposal. Would like the Task Force to be formed as soon as possible. Every available exemption should be provided to the rescue...
Daniel Guss: Agrees with Scott.

Julie Chadwick, HELP: Would like to have the program start right away.

Zsuzsa Blakely: Rescuers should be given the chance to take unweaned or sick animals.

Commissioner Rubalcava made a motion to accept all the recommendations made by the Department. Commission Khero seconded the motion. Motion passed unanimously. Commission Rubalcava requested that the report on the task force be calendared for the July 26, 2004 meeting.

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

Joanne Wagner: Has a problem with personal property animals and evidence animals becoming available, never showing up on the website, never being allowed to be adopted, and being killed.

Phyllis Daugherty, Animal Issues Movement: Updated the Commission on activities in Sacramento.

Michelle Kelly: Would like to be involved in the task force if rabbits are going to be involved in the Participant Shelter Program. Request that mandatory spay and neuter for rabbits and discount sterilization coupons for rabbits be placed on the agenda.

Daniel Guss, Stand Foundation: Discussed two dogs that failed the Department’s temperament testing. Received an email regarding dirty conditions at the South Los Angeles Shelter.

Zsuzsa Blakely: There are as many as 70 unweaned kittens killed per day during kitten season. Vital that animals are given a chance to transfer to another shelter. Hopes that Kathy Riordan is Board President. Does not like the Department putting rules on the public in regards to filling out speaker cards. Would like to be given three minutes for agenda items and five minutes for public comment to speak.

Bill Dyer, In Defense of Animals: Would like the Department to furnish lecturers to speak at immigration classes and meetings regarding the laws we have in this country and the way we view our animals.

Scott Sorrentino: Believes there is a divide between the rescue community and the Department that needs to be addressed. Disappointed that he had to learn about the search for the new general manager over the radio and felt the rescue community and the community was left out of the search process and will be left out of the selection process.

Mary Catalano: At the mobile adoption in Studio City nine animals were returned to the shelter because employees did not want to do the adoption paperwork after four o’clock. Described various
incidents that she believes animals were not treated correctly. Staff discourages the public from seeing animals in isolation animals.

**Julie Chadwick**: Cost the City more money to take the animals back to the shelter after a mobile adoption than to pay two people overtime. Discussed being fired as a volunteer.

5. **ADJOURNMENT**

Commissioner Riordan adjourned the meeting.