



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

Monday March 24, 2008  
10:00 A.M.  
CITY HALL  
200 N. Spring Street  
Room 1060  
Los Angeles, CA 90012

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Commissioners: Tariq Khero, President  
Kathleen Riordan, Vice-President  
Glenn Brown  
Irene Ponce  
Archie Quincey, Jr.

**ADMINISTRATIVE APPEAL HEARING**

Commission President Khero called the Administrative Appeal Hearing to order at 10:07 A.M. Present were Commissioners Khero, Brown, Ponce, and Quincey. Commissioner Riordan was absent.

- 1. Appeal of the General Manager's Decision in Barking Dog Case – BD 07551WL**  
Appellant: Mr. Andra Vaccaro  
Complaining Witness: Mr. Jack Kriegsman  
District Manager, West Los Angeles Animal Care Center, Jesse Castillo, Captain  
Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst II

Commissioner Quincey motioned to overturn the General Manager's original decision to reissue the dog licenses with terms and conditions for **"Buffy," License Number L08-191196**. The motion was seconded by Commissioner Ponce and passed on a vote of 4-0.

**Determination: General Manager's Decision Overturned, Case Dismissed.**

- 2. Appeal of the General Manager's Decision in Barking Dog Case – BD 07372 WV**  
Appellant: Christopher Nichols  
Complaining Witness: Roger Leak  
District Manager, West Los Angeles Shelter, Jan Selder, Captain  
Hearing Coordinator, Department of Animal Services, Ross Pool, Management Analyst II

The Appellant, Mr. Christopher Nichols withdrew his appeal. As a result, the General Manager's original decision to reissue the dog licenses with terms and conditions was upheld.

**Determination: General Manager's Decision Upheld, License Reissued without Terms and Conditions.**

## COMMISSION MEETING

Commission President Khero called the Commission Meeting to order at 10:08 A.M. Present were Commissioners Khero, Brown, Ponce, and Quincey. Commissioner Riordan was absent.

### 3. COMMISSION BUSINESS (Taken out of order.)

#### A. Approval of the Commission Meeting Minutes of January 28, 2008

Commissioner Quincey motioned to approve the minutes for the January 28, 2008 Commission Meeting, subject to the request by Commissioner Riordan to review the audio tapes of the meeting and make the appropriate changes to the minutes. The motion was seconded by Commissioner Ponce and passed on a vote of 4-0.

#### B. Approval of the Commission Meeting Minutes of February 11, 2008

Commissioner Quincey motioned to approve the minutes for the February 11, 2008 Commission Meeting. The motion was seconded by Commissioner Ponce and passed on a vote of 4-0.

#### C. Approval of the Commission Meeting Minutes of February 25, 2008

Commissioner Quincey motioned to approve the minutes for the January 28, 2008 Commission Meeting with Commissioner Riordan's recommended changes. The motion was seconded by Commissioner Ponce and passed on a vote of 4-0.

#### D. Oral Report by the Commission on Meetings and Events Attended

During the month of March, Commissioner Ponce has met with Department staff and representatives from two Council offices every Tuesday or Wednesday to discuss "Be Kind to Animals Week – Humane Education For the Youth." Commissioners Ponce and Quincey attended the West Los Angeles Animal Care Center Grand Opening on February 23, 2008. Commissioners Ponce and Brown attended the Bill signing ceremony by Mayor Antonio Villaraigosa for the Citywide mandatory spay/neuter ordinance on February 26, 2008. Commissioner Brown also attended the press conference the following day regarding the dog fighting issue in Northeast Valley. Commissioner Khero had nothing to report.

### 1. PRESENTATION OF DEPARTMENT COMMENDATIONS

A. Ms. Jennifer King, CEO and founder of "Blankets for Buddies", whose compassion and dedication has helped to improve the lives of thousand of animals.

B. Ms. Lori Kuhn and Jeff and Nancy Scheppers, also receiving commendations for their key efforts in "Blankets for Buddies."

#### Public Comments

Phyllis Daugherty: Had known Ms. King since her days at Channel 7, KABC, and spoke on her commitment to helping animals in the shelters. Ms King is also very active in the adoption events for

Baldwin Park.

Mary Catalano: Claimed that she had never seen the collected blankets being used in any of the dog and cat cages. Asked if the blankets would be cleaned regularly and reused by staff.

## **2. ORAL REPORT OF THE GENERAL MANAGER – EDWARD BOKS**

- The Department's Strategic Planning Process is now underway. Several focus groups have been formed to gather as much input as possible. The Department is also in discussion with City Councilmembers and the Mayor's Office about conducting a series of public workshops to gather input from the community as well on Department programs and their effectiveness in achieving the goal of "No Kill."
- Grand Openings for the new Northeast Valley and the Harbor facilities are scheduled to possibly take place in June and July. No actual dates have been set.
- Discussions for a second South Los Angeles facility are moving forward. The Department would be meeting with the architect of the Maricopa County Animal Care Center and taking a tour of the facility.
- The Department AGM search to head the operations are currently moving forward. The General Manager hopes to select a new AGM and make an offer within the next two weeks.

## **4. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION**

### **A. Animal Services Strategic Planning Process Commission Representatives**

The General Manager reported that staff at all levels of the Department are participating in focus groups to provide input to the Department's Strategic Plan. Likewise, the participation of the Commission, as policy makers in the Department, may include general input and also guidance for various steps in the process, such as recommending additional groups to interview for input. Therefore, the staff recommends that the Commission pick one or two, but not more than two, members to work with staff as necessary in development of the Strategic Plan.

### **Public Comments**

Phyllis Daugherty: The Department's Strategic Five-Year Plans in the past have all failed and they are a waste of time. Strategic Plans usually only last six months because of ongoing change. The Department already has a plan and that should be to focus on licensing, opening the new shelters, and offering more spay/neuter services. The Department should implement a citation program.

### **B. Partnership with Western University of Health Science, College of Veterinary Medicine**

The General Manager clarified several misconceptions with regards to the proposed partnership with Western University. There was a sense among many in the community that the Department would be collecting a fee from Western University as an incentive to participate in the training program of veterinary medicine students. The General Manager confirmed that there were no fees or incentives as part of participating in the program. The General Manager clarified that Western University will not be involved in any decision selecting animals for euthanasia. He also reassured the Commission that the Department would allow no more than 200 cadavers to be used to further veterinary medicine, without any animal ever being harmed or killed specifically for the purpose of its teaching programs.

Currently, an average of more than 1,000 animals die in City shelters of natural causes every year and over another 1,000 are dead before being taken in (DOA). Animals selected for the Western University program could be taken from these two populations, thus mitigating even any remote connection between euthanasia decisions and cadaver selection.

The commissioners expressed their concerns that if the Department was to move forward with the proposed program, the parameters need to be clearly defined, and an explanation of why the program is morally and ethically valuable needs to be made in writing.

Bill Dyer: The report brought back memories of pound seizure when animals would be sold to Cedars-Sinai Medical Center and to UCLA Medical Center for animal experimentation. They protested and got pound seizure to stop. Found the selection process of the proposed program to be very troubling. Felt dissection was not the business of the Department. The program would create a public relations nightmare. Urged the Department to reject the proposed program.

Phyllis Daugherty: Commented that many veterinarians being trained actually do not spay, neuter, or even cut into an animal before going into practice. Supported the idea of donating the organs of her animals if they were deceased, but also understood the public relations nightmare such a practice would create.

Whitney Smith: Commented on the high ethical standards of the Western University students. Believed that most people who were against the program had a problem with dealing with death in general. Felt that animals that were already dead could help save the lives of other animals if donated to this program.

Mary Catalano: Wondered where veterinary schools currently got dead animals for their programs. Opposed to the idea of donating dead animals to the Western University. Felt it was irreverent. Wanted more information. Suggested that the veterinary students should spend more time visiting the shelters.

Cathie Turner: The Concerned Dog Owners of California are against the proposal. Believed that Western University has not exhausted the other possibilities. None of the many dog clubs across Southern California have been contacted, nor has the university campaigned in the community to request individual dog owners do donate the organs of their deceased animals. Donating should be a voluntary practice. The university should not have access to shelter animals.

C. Schedule of Fees and Charges for Fiscal Year 2008-2009 for Adoption, Redemption, Relinquishment, Animal Care, and Permits.

Assistant General Manager Linda Barth reported that at the meeting of December 17, 2007, the Board considered and approved a series of recommendations to streamline the process for annually reviewing and

setting fees and charges, which are currently set forth explicitly in Los Angeles Municipal Code (LAMC) 53.00 et. seq. Specifically, and in accordance with advice and input from the City Council and the City Administrative Office (CAO) staff, the Board proposed to make several modifications to the LAMC to remove individual fees, establish a method and process for updating fees and charges annually, and establish in advance promotional discounts and the dates promotions would be available, all subject to approval by the Mayor and City Council.

Staff forwarded to the Board, City Council, the Mayor, and the CAO, a detailed report titled "Los Angeles Animal Services Study of Fees and Charges 2007-2008." This study discussed the background and justification for the recommended LAMC changes and new methodologies, and included detailed cost recovery formulas that individually calculated costs for intaking, adopting, and caring for dogs, cats, rabbits, equines, small animals (pocket pets, small birds, reptiles, and other small animals), and other animals (larger birds or reptiles, farm animals, and other larger animals). Those calculations, factored by the average number of days held for each type of animal and other animal-specific expenses, were used to arrive at cost-recovery amounts for each category of animal. A "market-value" discount is used with each type of animal to bring the cost to a level that keeps our animal services at or slightly lower than market rates, so that there is not a negative effect on live release of animals.

At the suggestion of the CAO, all calculations use of fully burdened (with all City overhead, time-off, and benefits costs) rates for staff performing intake, adoption, and related services. The formula structure yields updated costs through changes to: hourly rates, overhead costs, medical supplies, paper and copying, time to perform tasks, spay/neuter payments, average days in shelter for each animal type, and other direct costs such as disposal. Use of fully burdened hourly rates encompasses amounts for vehicle use and maintenance. Use of flat fees rather than the current construction of multiple small charges will speed transactions, increase accuracy, and limit accidental undercharging.

Along with establishing the new schedule of streamlined fees, staff also suggests approval of a set Promotional Rate, which would be a discount rate of 50% off adoption/redemption fees, and free microchipping. The General Manager would activate the Promotional Rate during special promotional periods with holidays and during a range of suggested days for the summer season. Promotions would also be offered in accordance with the Best Buddies Program and the Seniors For Seniors Program. Promotions for any other days or periods would require express approval by the Board and would be subject to approval by the Mayor and City Council, but would not require ordinance changes.

#### Public Comments

Phyllis Daugherty: The report did not mention anything on dog day cares or guard dogs. Permit fees for these two groups need to be added. Felt there should be category for Humane Euthanasia with a separate charge. Wanted to see higher prices for puppies and kittens to encourage people to take in the older animals.

Mary Catalano: Agreed that the prices for puppies and kittens should be increased. Supported the idea of discounts for the Best Buddies Program.

Commissioner Ponce motioned to approve the Schedule of Fees and Charges relating to adoption, redemption, relinquishment, animal care, and permits to be applied for Fiscal Year 2008-2009, effective July 1, 2008, unless otherwise amended; approve activation of Promotional Discount of 50% off the total adoption/redemption charges, and free microchipping, including the suggested amendments by the

Commission, for the express periods in Fiscal Year 2008-2009 described in the body of the report; and, direct staff to transmit this request to the Mayor and City Council for consideration and action. The motion was seconded by Commissioner Quincey and passed on a vote of 4-0.

#### D. Endorsement of California Assembly Bill (AB) 1958

The General Manager reported that in response to the concern that the employees of the Department of Animal Services have risked being targets of radical animal rights groups, Local 2006, AFSCME, Council 36, the union that represents the Department's veterinarians, proposed new legislation, AB 1958, to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles. Currently, the law extends protection to twenty-three classes of employees, predominantly in law enforcement and prosecution, social work, park rangers, museum security, city council members and county board of supervisor members. The amendment to the bill would add veterinarians to the list of those protected. However, the Department also urges the Commission request the Chief Legislative Analyst's office to formulate a position for consideration by the Mayor and the City Council to advocate that the proposed legislative protections extend to include all Animal Services staff that, in addition to the veterinarians, as they too are often are harassed and/or threatened due to their positions within the Department.

#### Public Comments

Phyllis Daugherty: Wanted to make sure that all management employees would also be included. Felt there should be a provision that the protection would only extend to Commissioners and employees during their term of service with the Department.

Commissioner Brown motioned to request the Chief Legislative Analyst's office to formulate a position for consideration by the Mayor and the City Council to formally endorse California Assembly Bill 1958 sponsored by Local 2006, American Federation of State, County, and Municipal Employees (AFSCME), Council 36, which will make the home addresses of veterinarians employed by a public animal control agency shelter, as listed in Department of Motor Vehicles (DMV) records, confidential; and advocate that the Bill's protections be extended to include all Department employees. The motion was seconded by Commissioner Ponce and passed on a vote of 4-0.

#### E. Certified Humane Raised and Handled

The Certified Humane Raised & Handled Label is a consumer certification and labeling program that indicates to food purchasers that an egg, dairy, meat, or poultry product has been produced with the welfare of the farm animal in mind. Food products that carry the label are certified to have come from facilities that meet precise, objective standards for farm animal treatment. These Animal Care Standards ensure that producers and processors they allow animals to engage in their natural behaviors, raise animals with sufficient space, shelter and gentle handling to limit stress, and provide ample fresh water and a healthy diet without added antibiotics or hormones.

Humane Farm Animal Care is the independent non-profit organization that conducts regular inspections and administers the "Certified Humane Raised & Handled" program. Endorsement by the Commission of the work of the Humane Farm Animal Care will encourage staff's participation in efforts to increase public outreach efforts for humane farming, and permit listing of the Los Angeles Board of Animal Services Commissioners on the organization's supporters list.

## Public Comments

Whitney Smith: Supported the endorsement of the Humane Farm Animal Care organization.

Mary Catalano: Commented on her support of the work of the Humane Farm Animal Care organization.

Phyllis Daugherty: Concerned that the non-profit organization was receiving a fee for the Department's endorsement and the routine inspections. Felt that the endorsement should simply be in concept.

Commissioner Brown motioned that the Board endorse the work of the Humane Farm Animal Care organization in their on-going consumer certification program for food products on a conceptual basis and that the issue be forwarded to City Council for approval. The motion was seconded by Commissioner Quincey and passed on a vote of 4-0.

## 5. DISCUSSION ITEMS

A. None

## 6. PUBLIC COMMENT PERIOD

Laurel Kinder: Requested that the Commission agendaize the issue of cameras in the shelters to address the safety of the employees, volunteers, and the animals.

Mary Catalano: Inquired about the practice of locking the isolation rooms and the centers. Wanted the Department staff to ensure that there were no problems with taking pictures of the animals in the isolation rooms that the practice of animal transfers was still being implemented. Asked about an update on mandatory spay/neuter. Suggested that there be an established criteria for animal adoptions available in Spanish, English, and Korean, and that there also be someone available to help counsel the public on adoption issues.

Phyllis Daugherty: Concerned about transfers at the South Los Angeles Center, which is currently overcrowded. Regarding the increase in fees, the Department needs to better clarify the concept. Suggested that waivers of acknowledgement be provided for individuals wanting to relinquish their animals, but may not be able to afford the shelter fees. The Department needs to be more sensitive in taking in horses, and be aware that most sanctuaries for horses are currently under investigation. Wanted a progress report on the enforcement of the new mandatory spay/neuter ordinance.

## 7. FUTURE AGENDA ITEMS

Requests from Commissioners For Future Agenda Items:

- Commissioner Riordan (via email) requested that the issue of providing security cameras in the centers be placed on a future agenda.
- Commissioner Riordan (via email) requested that a discussion item on questions relating to spay/neuter services issues be placed on a future agenda.

## 8. ADJOURNMENT

Commissioner Ponce motioned to adjourn. The motion was seconded by Commissioner Brown and passed on a vote of 4-0. The Commission Meeting was at 11:58 A.M.

**The next Commission Meeting will be held Monday April 14, 2008 at 10:00 A.M., at CITY HALL, 200 N. Spring Street, Room 1060, Los Angeles, CA 90012.**