



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 2 2 1
APR 23 2014

REPORT RE:

ADOPTION FEE WAIVERS FOR NEW HOPE PARTNERS

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 13-1190

Honorable Members:

At its meeting of February 25, 2014, the Board of Animal Services Commissioners (Board) adopted a revised New Hope Program (Program) dated January 1, 2014, substantially unchanged from the earlier version approved by the Personnel and Animal Welfare (PAW) Committee on October 15, 2013, and the City Council on October 23, 2013.

The Board, in adopting the revised Program, clarified that it was also approving a full or partial waiver of the adoption fees as set forth in the New Hope Program, taking into account an animal's adoptability and the availability of shelter space consistent with Section 53.11 (p) of the Los Angeles Municipal Code (LAMC). A copy of the revised New Hope Program is enclosed as an attachment.

Background

Previously, at its meeting on May 14, 2013, the Board approved an increase of the adoption fees paid by New Hope partners from \$40 to \$50, except for animals over six years of age or adopted from the "red" or "blue" lists, for which there would be no cost and requested this Office to draft an ordinance to effectuate the changes.

Based upon a review of Section 53.11(p) of the LAMC, it appears that the Board has the authority to waive some or all of the adoption fees for dogs, cats and rabbits without the need for an ordinance. LAMC Section 53.11(p) states in pertinent part as follows:

"(p) Subject to the approval of the Board of Animal Services, the General Manager may waive all or any portion of the fees listed in Section 53.12(a) and all or any portion of the electronic animal identification device (microchip) fees established pursuant to Section 53.15.5 upon the release of any animal which has been held by the Department for the legal holding period plus at least one additional day, to a non-profit humane or rescue organizationwhen the organization enters into an agreement with the Department to comply with the program requirements. The Board shall adopt guidelines for fee waivers by the Department, taking into account an animal's adoptability and the availability of shelter space...." (Emphasis added.)

New Hope partners are rescue organizations meeting the definition of LAMC Section 53.11(p). The Board's waiver of some or all of the adoption fees and the approval of the revised New Hope Program on February 25, 2014, taking into account an animal's adoptability and the availability of shelter space, is consistent with Section 53.11(p) and requires no further action on the part of City Council.

The revised New Hope Program leaves intact the waiver of adoption fees for New Hope partners for dogs, cats or rabbits that are over six years of age or are on the "red" or "blue" alert lists, which consist of the least adoptable animals; that is, the animals most at risk of being euthanized due to space or a medical condition.

For all other dogs, cats or rabbits, all but \$50 of the adoption fee is waived to encourage New Hope partners to adopt the least adoptable animals and assist in partial cost recovery resulting from the fee waivers.

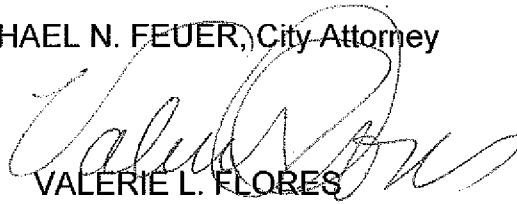
In addition, Los Angeles based New Hope partners must pay the \$5.50 dog license tax regardless of whether the dog is subject to a full or partial fee waiver.

If you have any questions regarding this matter, please contact Assistant City Attorney Dov Lesel at (213) 978-8154. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



VALERIE L. FLORES
Assistant City Attorney

VF:DSL:fc

Attachment: New Hope Program revised January 1, 2014

cc: Board of Animal Services Commissioners (without attachment)



NEW HOPE PROGRAM

Purpose, Policy, Procedure and Partnership

Los Angeles Animal Services

NEW HOPE PROGRAM

Table of Contents

<i>LAAS Mission, Vision, Values, and Service Theme</i> _____	3
<i>The Purpose of New Hope</i> _____	4
<i>Eligibility Requirements</i> _____	4
<i>Animal Availability</i> _____	5
<i>Red and Blue Alert</i> _____	5
<i>Shelter After Hours Access</i> _____	6
<i>Adoption Paperwork Processing</i> _____	7
<i>First-Come/First-Serve Exceptions</i> _____	8
<i>Program Policies and Procedures</i> _____	8
<i>On-Site Procedures</i> _____	11
<i>Monthly Reports</i> _____	12
<i>LAAS Employees, Chain of Command and Partnerships</i> _____	13

LOS ANGELES ANIMAL SERVICES
NEW HOPE PROGRAM

Los Angeles Animal Services

Our Mission

To promote and protect the health, safety and welfare of animals and people.

Our Vision

We envision the day when every pet born has a good home and is cared for all its life, and no person is ever endangered by an animal.

Our Values

We value each employee, volunteer and partner contributing to the professional delivery of excellent customer service and the humane treatment of animals, in an atmosphere of open, honest communication, predicated on our respect for and trust in each other. Our values depict the highest standards of:

- Respect – We pledge to treat each person thoughtfully, politely and kindly regardless of rank or relationship.
- Trust – We strive to conduct ourselves in an honest, ethical way, inspiring confidence in our abilities and our honesty.
- Open and Honest Communication – We commit to complete transparency in all forms of communication and to carefully listen to the communications of one another.
- Customer Service – We pledge to provide our best service to every customer, whether an internal or an external customer, every time.
- Humane Treatment – At all times and in all places, we vow to care compassionately, advocate actively and work tirelessly to insure the best possible environment for all animals.

Our Service Theme

Creating a Humane LA

NEW HOPE PROGRAM

The Purpose of New Hope

The purpose of the New Hope Program is to expand opportunities for Los Angeles Animal Services' (LAAS) dogs, cats, and rabbits to find permanent homes by partnering with qualified 501(c)3 organizations. The New Hope Program is the means by which LAAS acknowledges, cooperates with, and supports the efforts of partnering animal care, training, rescue, welfare and law enforcement organizations as we all try to find homes for the City's orphaned dogs, cats, and rabbits.

Eligibility Requirements

Organizations that are located in Southern California and are established or recognized in their community as an animal shelter, animal welfare organization, animal rescue organization or veterinary hospital may be eligible to participate in the New Hope Program. Eligibility requirements include, but are not limited to:

1. 501(c)(3) status or veterinary business license (including license to treat exotics if applicable);
2. A current copy of the organization's articles of incorporation and by-laws;
3. The organization's statement of purpose, indicating the primary breed the organization rescues. (Note that rabbits can only be adopted by approved rabbit New Hope Rescue Partner organizations);
4. A current copy of the adoption agreement used by the organization;
5. A written description of how and where animals will be housed when they leave an Animal Shelter;
6. A list of all individuals, their California Driver's License, contact phone numbers and e-mail addresses of persons authorized to enter into an agreement for a New Hope adoption from LAAS and to remove the animal once formally adopted on behalf of the organization. Individuals must be bona fide members of the rescue group;
7. The name, phone number, e-mail address, and California Driver's License of the group President or Director responsible for accurate completion of all forms and for providing updates or changes in writing;
8. A valid phone number and email address for the organization that is monitored and will be responded to within 24 hours;
9. The name of a licensed veterinarian indicating a willingness to provide veterinary services to the organization; and
10. Providing adopters with appropriate license application forms and providing LAAS with the name and address of dog adopters that reside within the City of Los Angeles for license follow-up. New Hope Rescue Partners are also required to provide addresses for cat and dog adopters that reside inside and outside the City of Los Angeles for statistical use.

NEW HOPE PROGRAM

Please refer to the application materials for complete requirements.

Animal Availability

There will be three levels of availability:

1. Animals on the Red or Blue Alert will be available to the New Hope Rescue Partner the same day that they become available to the public (i.e., impound day plus four days for strays, and same day as impound day for owner-surrendered).
2. Dogs over 30 lbs. and all other animals are available at the New Hope Rescue price one day after they become available to the public (i.e., impound day + five days for strays, impound day plus one day for owner-surrendered animals).
3. Dogs under 30 lbs. are available at the New Hope Rescue price after they have been available for one full weekend to the public for adoption.

Kittens/Puppies Under 8 weeks or Unweaned: At the discretion of the Department, unweaned kittens or puppies will be placed on the Blue Alert for immediate adoption (puppies or kittens nearing their adoption date may be held for public adoption).

Animals determined to be irremediably suffering by the LAAS medical team will not be eligible for New Hope.

Red and Blue Alert

The New Hope Red and Blue Alert list is intended to communicate to New Hope Rescue Partners which animals are most in need of help, to flag them for special consideration by rescuers. Animal Care Technician Supervisors (ACTS) are responsible for determining which animals will be placed on the Red Alert list and the Registered Veterinary Technicians (RVTS) or Veterinarian are responsible for determining which animals will be placed on the Blue Alert list.

NEW HOPE PROGRAM

Criteria for consideration for placement on the Red or Blue Alert list:

1. Blue

- a. Medical – Animals are not irremediably suffering, but according to medical staff, are not responding well to a standard course of treatment or have illnesses or injuries that need treatment beyond stabilization.
- b. Age – Neonates which need feeding and support, as well as geriatric animals.
- c. Lactation – Animal is lactating with young.

2. Red

Behavioral – Animals have demonstrated non-socialized behavior (aggression) or extreme fear or fear biting, as observed and reported by staff.

Space - Any dog, cat, or rabbit meeting the above criteria may be placed on the New Hope Red or Blue Alert as soon as the condition or behavior is noted, whether the animal is available or still under hold. Unavailable animals may be listed on the Red or Blue Alert to give advance notice to the New Hope Rescue Partners.

Once an animal is listed on the Red or Blue Alert the animal may be euthanized after 48 hours. No Interested Person (IP) will be allowed on a Red or Blue alerted animal.

Shelter After Hours Access

If a New Hope Rescue Partner needs to access the shelter after hours for an adoption pick up, they must first contact the ACTS and the New Hope Coordinator (if applicable) at the shelter to make arrangements. For all other requests to be at a shelter after hours, the New Hope Rescue Partner must first contact the Director of Field Operations who oversees shelter operations.

NEW HOPE PROGRAM

Adoption Paperwork Processing

1. All New Hope Rescue Partners will be provided "no waiting" adoption paperwork processing with telephonic notification. The New Hope Rescue Partner telephones their New Hope animal adoption selection(s) to the ACTS or New Hope Coordinator (if applicable) before 4:00 p.m. on the day they want to adopt the animal(s) and the paperwork will be ready for signature the following morning by 11 a.m.
2. Any requests received after 4:00 p.m. will be processed the following morning and will be ready for signature by 5 p.m. the following day.
3. New Hope Rescue Partners using the "no waiting" processing may use a credit card to complete the transaction for the applicable licensing and/or adoption fees. All signatures required for the adoption process, i.e. credit card receipt, adoption contract, any necessary waiver, must be provided in person that day, in order to send the adopted dog or cat for sterilization.
4. If the credit card holder is unable to present himself or herself in person, any other "identified" member of their New Hope organization may sign for the transaction. "Identified" members are persons listed as a member of such organization and have been listed as an authorized "signature" by the credit card holder in the New Hope Rescue Partner's agreement. Additionally, should the credit card bank reject such signature as not authorized, it is the responsibility of the credit card holder to make good the adoption fees. No "in lieu of" signature will then be permitted until the credit card holder presents bank authorization for such a signature.
5. Before completing the adoption transaction, the New Hope Rescue Partner must complete and submit to LAAS each adopted animal's microchip registration. The New Hope Rescue Partner must register as either the animal's primary or the animal's secondary registered name on the microchip.
6. Any dog, cat, or rabbit adopted by a New Hope Rescue Partner that does not require sterilization or is being released with a medical release (D300), must be picked up by the close of public business hours on the day of adoption transaction, unless prior arrangements are made.

NEW HOPE PROGRAM

First-Come/First-Served Exceptions

While LAAS tries to adhere to a first-come/first-serve practice with respect to deciding which animals go to which organization, the following exceptions apply:

1. When a member of the public and a New Hope Rescue Partner are present to adopt at the same time, the private citizen will have the right of first refusal.
2. When more than one New Hope Rescue Partner is present to adopt at the same time, the New Hope Rescue Partner with the earliest request for the animal will have the right of first refusal.
3. When more than one New Hope Rescue Partner is present to adopt at the same time and neither has made a request for the animal, the New Hope Rescue Partners will be given an opportunity to work out amongst themselves which organization will adopt the animal. If the Partners cannot come to a decision on their own, the Director of Field Operations overseeing shelter operations will make the decision based on the best interest of the animal. The decision of the Director of Field Operations shall be deemed final.

Program Policies and Procedures

LAAS is committed to developing and maintaining positive, productive relationships with our New Hope Rescue Partners, all other rescue organizations, and the communities we serve. LAAS is equally intent on ensuring animals adopted from our Animal Care Shelters are afforded appropriate care. For this reason:

1. New Hope Rescue Partners are not exempt in any way from any applicable laws, ordinances, or LAAS rules and regulations regarding animals and animal care.
2. LAAS requires all documentation listed in the Eligibility Requirements section of this document to be updated and current, and may require any other reasonable information.
3. LAAS forbids New Hope Rescue Partners from adopting animals in the name of any non-member of the New Hope Program. New Hope Rescue Partners may not extend adoption privileges in the name of their organization to any person adopting for private or other purposes.
4. New Hope Rescue Partners who will be transferring/transporting animals to other agencies, groups and/or municipal shelters will provide written notification **in advance** of the transfer/transport to the New Hope Program Manager with the following information:

NEW HOPE PROGRAM

- a. Date of transfer/transport
 - b. Method of transfer/transport (air or ground) and name of driver if applicable
 - c. Name, address, phone number and contact person of the receiving agency, shelter or group. Receiving agency must be a 501(c)(3) or a Municipal Shelter.
 - d. A signed agreement between the New Hope Rescue Partner and the receiving agency, shelter or group, stating the receiving agency, shelter or group will not kill to make space, will give the pet an adoption guarantee, will provide adopter contact information and will consult LAAS if the animal becomes seriously ill or there is a life threatening problem.
 - e. The New Hope Rescue Partner will include with their signed agreement from the receiving agency, whether the receiving agency has been investigated or cited for animal abuse or failure to maintain appropriate facilities and the name of the animal control authority that has oversight of their facility and/or organization.
 - f. The receiving agency must be re-credentialed every year and report any changes in status or policies to the New Hope Rescue Partner. The New Hope Rescue Partner shall report these changes in status or policies to LAAS immediately.
5. New Hope Rescue Partners shall retain copies of Adoption Contracts for paid adoptions of LAAS animals to private parties for no less than three years from the date of adoption. LAAS may ask to see copies of these files for animals adopted under the New Hope Program from LAAS' Shelters at any time.
 6. LAAS will create a report and place it on the LAAS Website which gives information on what the New Hope Rescue Partners are transferring/transporting and where the animals are going to.
 7. All New Hope Rescue Partners will pay a single price for a dog, cat, or rabbit as follows:
 - a. \$50— flat fee (includes spay/neuter and microchip), whether the surgery can be performed immediately or must be deferred for later. The fee applies even if an animal is already spayed/neutered and/or microchipped.
 - b. Plus \$5.50 – for dog license tax if applicable to the New Hope Rescue Partner's location.

NEW HOPE PROGRAM

- c. Animals on the Red or Blue Alert will be no fee adoptions (includes spay/neuter and microchip). Must pay \$5.50 for dog license tax if applicable to the New Hope Rescue Partner's location.
8. New Hope Rescue Partners will be permitted to place IP holds for three days on any animal that has not already been placed on the Red or Blue Alert list; the animal will not be euthanized during the three day hold unless the condition degrades so that the animal is irremediably suffering. The IP information in the Chameleon memo should include the name of the New Hope Rescue Partner group. ACTS have discretion to review and refuse placement of an IP if it appears to be other than a genuine interest for an animal the group intends to adopt if possible. The New Hope Rescue Partners are solely responsible to follow-up on their IP holds, and no telephone calls will be made by the Department to the IP.

A New Hope Rescue Partner that fails to adopt a New Hope animal that they have placed an "Interested Party" hold on, or fails to obtain permission from LAAS for a delay, may lose the holding privilege in the future.
9. Until adopted from the New Hope organization by a private party, New Hope Rescue Partners shall register an animal in their organization's name and will be responsible for all redemption fees should the animal be impounded by LAAS. New Hope Rescue Partners shall add the name of the animal's adopter to the animal's microchip registration within 30 days of a legal adoption by a new owner from the New Hope Rescue Partner organization. The Department requires that both the adopter and New Hope Rescue Partner be listed as registrants on the microchip and prefers that the adopter be listed as the primary registrant and the New Hope Rescue Partner as the secondary registrant, but will not require it.
10. New Hope Rescue Partners will provide dog license forms to new adopters of dogs who live in the City of Los Angeles and are required to report the name and mailing addresses of adopters of dogs who live in the City of Los Angeles to LAAS for licensing follow-up purposes; New Hope Rescue Partners must also provide addresses for cat and dog adopters that reside inside and outside the City of Los Angeles for statistical use.
11. Contract veterinarians providing spay/neuter services may impose additional fees on the New Hope Rescue Partner.
12. Every dog, cat, and rabbit of any age adopted from LAAS is required to be spayed/neutered before being released from LAAS, unless it is unsafe for the animal to undergo surgery in the animal's present condition. Only the LAAS veterinary team or LAAS contract veterinarians are authorized to postpone spay/neuter for medical reasons. When any LAAS cat, or dog of any age is released to a New

NEW HOPE PROGRAM

Hope Rescue Partner unsterilized, the New Hope Rescue Partner agrees to provide LAAS proof of the animal's sterilization within 30 days from the date of adoption, or to provide a statement of further spay/neuter deferral from a licensed California veterinarian every 30 days, until proof of the animal's sterilization is provided or until a licensed California veterinarian recommends permanent spay/neuter deferral, or until the animal is deceased. Under no circumstances will any animal adopted from LAAS through the New Hope Program be allowed to breed; nor can animal(s) be placed in a permanent home until the animal(s) has been spayed/neutered. Violation will result in immediate termination of New Hope privileges.

13. Any violation of the terms of the New Hope Agreement may result in suspension or termination from the New Hope Rescue Partner Program. In the event a New Hope Rescue Partner does not comply with any of the above, the General Manager, Director of Field Operations, or the New Hope Program Manager, following an investigation of the incident, may suspend or terminate all New Hope privileges. New Hope Rescue Partners may appeal the suspension or termination of privileges. Any appeal for termination of the New Hope Rescue Partner's privileges must be addressed to the General Manager within 15 days of the suspension or termination. The General Manager, Director of Field Operations, New Hope Program Manager, or the General Manager's designee shall have the final discretion on whether to reinstate the New Hope Rescue Partner's privileges.

On-Site Procedures

New Hope Rescue Partners are permitted to view all animals in the Animal Care Shelters with the exception of animals placed in quarantine or medical areas pursuant to order or regulations from the Los Angeles County Department of Health.

Each member of a New Hope organization will receive a New Hope identification number from the New Hope Program Manager, presentation of which is required for access to New Hope benefits. A California driver's license or California ID also may be required.

Once a New Hope Rescue Partner makes a decision to accept an animal into their program, they are asked to:

1. Notify the ACT or New Hope Coordinator (if applicable) they want to adopt the animal.
2. LAAS staff will process the adoption and the New Hope Rescue Partner will take the paperwork to the business counter to initiate the adoption transaction.

NEW HOPE PROGRAM

3. Understand that all New Hope animals will be sterilized before release, subject to the exceptions set forth above under "Program Policies and Procedures," Page 10, Number 12.
4. Receive a date and time to pick-up the animal if the animal is remaining for spay/neuter. It is vital that all animals, are picked up from the spay/neuter veterinarian on the specified date and time. Any New Hope Rescue Partner that does not pick-up their animal at the specified date and time and fails to obtain permission from the clinic for a delay may be suspended or terminated from the New Hope Program.

Monthly Reports

Completion of a New Hope Rescue Partner Monthly Report is required.

1. The report is accessible online, on the 1st of the month and is to be completed by the 10th of each month. New Hope Rescue Partners who fail to submit their completed monthly reports by the date requested two months in a row will be suspended until their reporting is brought up-to-date.
2. New Hope Rescue Partners will be assigned a user identification and temporary password to access their online report. New Hope Rescue Partners will change the temporary password to one of their own after the first time they log on.
3. A New Hope Rescue Partner can access their online report via: <http://anivet.lacity.org/nhportal>.
4. Reports shall require the following information:
 - a. Status report on all animals adopted from LAAS under the New Hope Program, including medical and second and third-party (if applicable) adoption status, and
 - b. Name and address information of all adopters, of all animals, who reside within and outside of the City of Los Angeles, and full name and address of transferee organization. (Refer to requirements for transferring animals to another rescue organization on page 8, number 4), and
 - c. If secondary transfer rescue group or municipal organization adopts or transfers to a third party, the name and address of adopter is also required. New Hope Rescue Partner is responsible for following up and receiving this information.

NEW HOPE PROGRAM

5. LAAS may ask to see receipts for medical and/or boarding costs incurred, at any time for reasonable cause, for animals adopted by the organization through LAAS' New Hope Program.
6. Spay/neuter certificates for all unsterilized animals released from LAAS (with deferral letters if applicable), must be sent to the New Hope Program Manager within 30 days from the date of adoption from the Shelter. All certificates or deferral letters must have the animal ID written/added on the actual certificate. Certificates submitted without an Animal ID will not be accepted.

LAAS reserves the right to request an up-to-date report at any time.

NOTE: New Hope Rescue Partners are to remind new owner/guardians living in the City of Los Angeles that a LAAS dog license is required.

LAAS Employees, Chain of Command, and Partnerships

If a New Hope Rescue Partner encounters a problem with any LAAS process, employee, or volunteer, the problem is to be discussed with the following individuals in the order listed until the problem is resolved:

1. New Hope Coordinator (If Applicable)
2. Animal Care Technician Supervisor
3. New Hope Program Manager
4. Director of Field Operations
5. General Manager

LAAS appreciates the efforts of every New Hope Rescue Partner and is committed to developing relationships consistent with our organizational values. New Hope Rescue Partners are representatives of the animals in our shelters and The Department emphasizes that New Hope Rescue Partners behavior reflect in a positive way our alliance whenever using any form of media to publicize the needs of animals within our care. The goal should always be to show the animals in the best possible way to encourage adoption, foster or rescue. LAAS asks all our New Hope Rescue Partners to value each other's employees and volunteers as we all contribute to the professional delivery of excellent customer service and the humane treatment of animals in an atmosphere of open, honest communication predicated on our trust in and respect for each other.