ADMINISTRATIVE APPEAL HEARING, 10:00 A.M.

Commission President Khero called the Administrative Appeal Hearing to order at 10:15 A.M. Present were Commissioners Khero, Riordan, and Atake. Commissioners Brown and Knaan were absent.

1. Appeal of the General Manager’s Decision in License Revocation Case – BR 06351EV
   Appellant: Barbara Sue Daniels
   Complaining Party: Harold Unger
   District Manager, East Valley Animal Care and Control, Wendell Bowers, Captain
   Hearing Coordinator, Department of Animal Services, Helen Brakemeier, Captain

Due to the absence of the complainant, Harold Unger, the Board of Commissioners took the decision under submission and suggested that the appeal hearing be continued to October 23, 2006.

COMMISSION MEETING

Commission President Khero called the Commission meeting to order at 11:07 A.M.

1. REPORT OF THE GENERAL MANAGER – EDWARD BOKS

   - Best Friends Animal Sanctuary committed $200,000 to the City to be used by the Controller’s Office to conduct an audit of the Department.
   - The grand opening of the North Central Animal Care and Control Center is scheduled for October 5. The center would be open to the public on October 7.
   - Within the next month, the Department hopes to have the capacity for online donations for its public programs, as well as online licensing.
   - The Department, along with Animal Acres, was able to have a booth set up at the 22nd Annual Abbot Kinney Festival in Venice on September 24. Animal Acres is an organization that specializes in the rescue of farm animals from the Los Angeles area.
Public Comments

Phyllis Daugherty: Is the $200,000 from Best Friends coming from money donated thru their 501c3 for the care of animals or is that a watchdog arm of Best Friends? If so, what other agencies have they provided audit money for? There is an advertisement on the Internet for Best Friends that says they take in $20 million in donations. Yet, the organization has claimed that they did not have enough money to transport animals from Beirut and have asked the rescue groups to donate additional money.

7. PUBLIC COMMENT PERIOD (Taken out of order due to time constraints.)

Bill Dyer: Appreciated the way in which the Department responded to the British artist Bansky’s exhibit “Barely Legal,” that included a live elephant painted to blend into the wallpaper of a living room. Thanked Commander David Diliberto and General Manager Ed Boks for their efforts. The incident was a good example of animal activists working with the Department towards the same goal.

Mary Catalano: Has suggested for years to publicize free spay/neuter on the Department website. The website currently mentions “the Big Fix,” which may be confusing to the public. Complained about the heading that reads, “Saving animals’ lives.” Believed that it was misleading. Claimed that when she visited the shelter on one occasion, there were no cat boxes. The staff had responded that they did not have time to report to the shelter manager on the cat box shortage. Mentioned that the ACTs have not properly educated members of the public who have come in to turn in their animals.

Phyllis Daugherty: Commented that the response to the “Barely Legal” art exhibit left the Department without ACOs available in the field to answer calls for humane investigations and critical issues in the public. Currently there is no officer for the Harbor area from 5:00 P.M. to 7:00 A.M. The public is starting not to bother calling the Department now as a result. The Department needs to look more closely on how they deploy their manpower for the benefit of the public. Commented that the County now sends out an informative DVD with all adoptions on how to properly care for the adopted animal.

8. CLOSED SESSION (Taken out of order due to time constraints.)

The Board of Animal Services Commissioners met in closed session at 11:30 A.M., pursuant to Section 54957(b)(1) of the California Government Code to meet with Los Angeles Police Department’s Detective Jeff Dunn and Deputy City Attorney Hugo Rossitter representing their department’s Threat Management Units, regarding threats to employee’s public services and/or facilities.

No action was taken in Closed Session.

Commissioner Khero called the Commission Meeting back to order at 12:40 P.M.

7. PUBLIC COMMENT PERIOD (Reopened due to the arrival of Mr. Harold Unger, the complaining party in the Appeal of the General Manager’s Decision in License Revocation Case – BR 06351EV.)

Harold Unger: Commented on his three-year experience in dealing with the barking of his neighbor’s dogs. The issue is no longer a disturbance. It has become a quality of life issue, and has considered selling his home. Claimed that his neighbor has not been in compliance with the terms and conditions that have been
2. OLD BUSINESS INCLUDING MATTERS FOR BOARD ACTION

A. Discussion: Transfer of Animals Between Shelters (Ed Boks)

The General Manager reported that Captain Nancy Moriarty, who oversees the Transfer Program, would be better able to address the concerns of the Commission on the program’s effectiveness. Captain Moriarty would be available to report to the Board at the next Commission meeting. The General Manager reminded the Board that he reported on the Transfer Program on two previous occasions. Commissioner Khero commented that Commissioner Knaan had requested for a more detailed discussion on how the program could be improved, why it had not been as effective as she had hoped it would be, and if whether or not the program should be eliminated all together. The General Manager strongly advised against eliminating the program and felt that it just needed to be better managed.

Action Item: Discussion on the Transfer of Animals Between Shelters returns as an agenda item to be tabled for the Commission Meeting on 10/23/06.

3. NEW BUSINESS

A. Commission Recommendations For New Agenda Items

- Commissioner Khero wanted a discussion on the Volunteer Program, whether it should be in open session or closed session, to be placed on the agenda.
- Commissioner Riordan wanted a discussion making the Euthanasia List available to the public again.
- Commissioner Riordan wanted to look into incentives for pet shops taking in shelter animals.
- Commissioner Riordan requested for further investigation into the puppy mills.

1. Recommendation to Department of Recreation and Parks regarding Dog Parks (Marie Atake)

Commissioner Atake made the following motion:

A major cause of dogfights and disruption at Los Angeles’ growing array of dog parks is the interaction of unsterilized male and female dogs with other dogs. The tendency for the un-neutered males to be more aggressive or evoke aggression from other dogs and, respectively, for the females in heat to be a disruptive presence than their sterilized counterparts, makes the peaceful enjoyment of the dog parks more difficult for dogs and their companion people alike.

NOW, I THEREFORE MOVE that the Department of Animal Services formally request that the Department of Recreation and Parks include a prohibition on unsterilized and in-heat dogs on regulatory signage at all dog parks in the City of Los Angeles; and

I FURTHER MOVE that, if such a prohibition requires an amendment to the applicable City code, by the action of approving this motion, the Board of Animal Services Commissioners formally initiates an ordinance to do so.
Public Comments

Phyllis Daugherty: Was never in favor of dog parks. Claimed that there is no proof that dogs fight more if they are unsterilized. Altered dogs have attacked just as many people. There is no one to enforce the prohibition and there is no penalty attached to violations. Suggested that there be a paid membership for such dog parks.

The motion was seconded by Commissioner Riordan and was passed on a vote of 3-0.

4. COMMISSION BUSINESS

A. Approval of the Minutes for August 28, 2006 and September 11, 2006

Commissioner Riordan motioned to approve the minutes for August 28, 2006 with her requested changes. The motion was seconded by Commissioner Atake and passed on a vote of 3-0.

Commissioner Atake motioned to approve the minutes for September 11, 2006. The motion was seconded by Commissioner Riordan and passed on a vote of 3-0.

B. Meetings/Events Attended

Commissioner Atake held a dog adoption event at a community block party in Marina Del Rey, CA on September 19. She also held a dog adoption event at a pet store on September 23. Commissioner Atake attended the 22nd Annual Abbot Kinney Festival in Venice on September 24. Commissioner Riordan attended a meeting with the General Manager and other members of the Department to discuss potential policy and permit procedures. Commissioners Khero had nothing to report.

5. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

A. Board Report: Approval of Grant From Petsmart Charities (Jeff Brill)

Mr. Jeff Brill, Sr. Management Analyst II, reported that Mr. Ross Pool, Management Analyst II, had submitted the grant application to Petsmart for the Department’s Spay and Neuter Program. Petsmart responded with a $20,000 grant for the Department to conduct sterilization procedures in the South Los Angeles area. There would be no additional staff impact, as it would be managed through the Department’s Spay and Neuter Program. The only fiscal impact would be approximately $250 in regards to the printing of the coupons.

Commissioner Riordan wanted to change the language in the agreement from “aggressive breeds” to “large dog breeds.” Deputy City Attorney Dov Lesel mentioned that there would be a few minor changes he would like to make in the grant agreement.

Commissioner Riordan motioned to request City Council, subject to the approval of the Mayor, to approve and accept the Petsmart Charities Grant Award in the amount of $20,000 for the Spay and Neuter Program and authorize the General Manager to execute the grant agreement, as set forth in the Petsmart Charities Grant Agreement.
letter, dated September 12, 2006, subject to the approval of the City Attorney as to form and legality. The motion was seconded by Commissioner Atake and passed on a vote of 3-0.

6. **REGULAR AGENDA DISCUSSION ITEM**

A. None

9. **ADJOURNMENT**

Commissioner Riordan motioned to adjourn. The motion was seconded by Commissioner Atake and passed on a vote of 3-0. The meeting was adjourned at 1:10 P.M.