ADMINISTRATIVE APPEAL HEARING

Commission Vice President Riordan called the Administrative Appeal Hearing to order at 10:12 A.M. Present were Commissioners Riordan, Brown, and Atake. Commissioner Knaan arrived at 10:14 A.M. Commission President Khero was absent.

1. Appeal of the General Manager’s Decision in License Revocation Case – BD 05511EV

Appellant: Tom & Lynn Mitchell
Complaining Party: Ami Saffron
District Manager, East Valley Animal Care and Control, Wendell Bowers, Captain
Hearing Coordinator, Department of Animal Services, Helen Brakemeier, Captain

Commissioner Knaan motioned to uphold the General Manager’s decision to reissue License Number L05-128760, for dog “Lola” and License Number L06-128696, for dog “Aundrey”, modifying Term #1, eliminating Terms #2 and #3, and leaving Terms #4 and #5 as written in the Notice of Order. The motion was seconded by Commissioner Atake and passed on a vote of 4-0.

Determination: License Reissued with Terms and Conditions
COMMISSION MEETING

Commission Vice President Riordan called the Commission meeting to order at 10:43 A.M. Commissioner Khero joined the meeting at 11:40 A.M.

1. ORAL REPORT OF THE GENERAL MANAGER – EDWARD BOKS

- November 10-13 was declared a “No Kill” weekend by the General Manager. The Department had implemented a moratorium on the killing of healthy/treatable animals and feral cats at the North Central Center, and focused on saving lives through redemption and adoption.

(Mr. Scott Sorrentino commented on the success of the recent Veteran’s Day Weekend event, particularly the Rescue and Humane Alliance’s “Pumpkin Festival.” Thirty-six animals were adopted out from the event.)

- The General Manager attended the recent conference on chemical sterilization for animals.
- Thru the end of October, the Department had experienced a 9% increase in the number of adoptions for dogs and cats. New Hope placements increased 48% and euthanasia decreased 12%. This translated into 1,938 live placements into new homes compared to 1,605 in October ‘05. In addition, nearly 400 lost pets were safely returned to their frantic owners.
- The Department Website now features improved pictures and allows for online donations.

Public Comments

Phyllis Daugherty: Mentioned that there has already been a problem with the pipes breaking down at the North Central Center. Also commented on the feral cat situation at the shelter.

Daniel Guss: Suggested that the Dog of the Day feature on the Department website should also be featured on the City Council website. Felt that the Department was a hostile work environment and advised the Commission to examine the euthanasia numbers after the No Kill weekend.

2. OLD BUSINESS INCLUDING MATTERS FOR BOARD ACTION

A. Fiscal Year 2007-08 Draft Budget Packages:
   Presentation by staff on proposed requests on Fiscal Year 2007-08 Budget and direction to staff.

Ms. Linda Barth, Assistant General Manager, presented to the Board the updated summary of the final packages the Department was planning to submit to the Mayor for consideration for the FY2007-08 Budget Year. The summary included the actual dollar amounts for each of the packages as requested by the Commissioners for their review. Ms. Barth also briefly explained several of the packages such as the South Los Angeles Spay Neuter Clinic package and the Wildlife Program package, and emphasized their importance to improving the services of the Department. Commissioners Brown and Riordan expressed their concern over the trust fund activity and why the trust fund amount was not included in the Budget submittal. The General Manager explained that the trust funds were restricted funds that could not be used for the operational needs of the Department. Ms. Barth added that the Department would provide the Commissioners with a full report on the revenues and expenditures over the last year concerning the trust funds as well as an explanation from the LAMC on what they are specifically used for.

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Commissioner Brown motioned to approve the submittal of the Budget Packages and the attached sub-budget total to the Mayor for consideration for the FY2007-08 Budget Year with a summary of all line-items to be provided to the Board later, and that a footnote be added stating that the total did not reflect the trust fund figures. The motion was seconded by Commissioner Atake and passed on a vote of 4-0.

Public Comments

Daniel Guss: Suggested to research what the veterinarian salaries were across the Southern California area.

Phyllis Daugherty: Felt that it was ineffective to reinstate the position of the shelter manager, claiming that it failed in the past. There needs to be a stronger focus on enforcement efforts. Expressed her concern on the shifting of district boundaries and how it would affect the community.

The General Manager explained the needs of the Department to separate the shelter operations from the field operations.

3. NEW BUSINESS

A. Requests from Commissioners For Future Agenda Items

- Commissioner Atake wanted a discussion on the microchipping procedures.
- Commissioner Atake wanted a discussion on the New Hope Program and on the Euthanasia List to be placed on the agenda for the December 11, 2006 Commission Meeting.
- Commissioner Brown wanted to investigate the feasibility on police training for shelter dogs.
- Commissioner Brown wanted to know the status of the Senior for Senior Program.
- Commissioner Riordan requested a general overview of the Department website and a discussion on adding addition features such as a Lost and Found link and Commission Motions link.
- Commissioner Riordan wanted a discussion on the increase of the unaltered license fee.
- Commissioner Knaan requested to see a draft on the spay/neuter ordinance for the December 11, 2006 Commission Meeting.

Public Comments

Daniel Guss: Commented that the Department was identified on the Channel 2 Website as failing to investigate pet shop cruelty. Schools and universities should not be given shelter animals for experimentation. Mentioned an incident in which a homeless and disabled man was charged for a microchip that was never placed on his dog.

4. COMMISSION BUSINESS

A. Approval of the Commission Meeting Minutes:

Commission Approval of Minutes for the Meeting of October 23, 2006

Commissioner Knaan motioned to table the approval of the minutes for October 23, 2006 to the next Commission Meeting on November 27, 2006. The motion was seconded by Commissioner Atake and passed on a vote of 5-0.

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Public Comments

Daniel Guss: Stated that the Department actually missed out on an opportunity to reach over 100,000 people at the Sherman Oaks Street Fair during the weekend of October 21-22.

The General Manager responded that the Department was present at three other street festivals that same day.

B. Oral Report by the Commission on Meetings and Events Attended

Commissioner Atake volunteered at dog adoption events on October 28, November 4, and November 11. She participated at the Walk For The Underdog event on October 27 and at the Forte Animal Rescue event on November 11. Commissioner Riordan attended a bird class on November 12 and a PSA meeting on the on the progress of the spay/neuter commercial. Commissioner Riordan also attended a fundraiser for cancer research in which several council members were present. The fundraiser brought in close to $1 million dollars. Commissioners Khero, Brown, and Knaan had nothing to report.

5. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION

A. Board Report: Amending LAMC 53.69, Fee Exemptions for Trap rental Commission Consideration of Request for Ordinance Change to Allow Fee Exemptions for Certain Groups and Residents Who Qualify When Renting Wild Animal Traps and Direction to Staff.

The General Manager reported that as the Department moves away from catch and kill methodologies, there are times when trapping is appropriate. To charge individuals a fee in these situations is counterproductive and undermines the service of rabies control the Department is trying to provide. Historically, the Department has not been charging this fee to the public. Ms. Barth indicated that once the policy was approved by the Commission and sent to City Council, the Council would then ask the City Attorney to prepare an ordinance changing the LAMC. The process would occur over several months. Commissioner Knaan suggested that that the code be changed under (a) that the Department is authorized to rent traps for the purpose of trap and release, relocation, and humane euthanasia. Mr. Lesel added that the change would allow the Department to have discretion and follow a list of protocols for which waiving the fees would be appropriate. The Shelter Manager would make the decision, and the waiver would include the daily rental and the deposit.

Public Comments

Daniel Guss: Did not understand why there would be any fee for trapping. Felt that the fee should be waived all together and that it served no purpose. There was too much red tape to rent a trap.

Phyllis Daugherty: Agreed that there should not be a fee for renting the traps. Felt that trapping for the purpose of relocation gave the public the wrong idea that they could simply release animals anywhere. Commented that coyotes are beginning to invade the property of a home for the elderly in Sun Valley.

Commissioner Riordan motioned to approve the staff recommendations to provide a fee exemption for seniors, disabled, and persons of low incomes, and for certain non-profit organizations and request that the City Council direct the City Attorney to draft an ordinance and submit the ordinance to City Council amending Los Angeles Municipal Code (LAMC) Section 53.69 accordingly. The motion was seconded by

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Commissioner Knaan and passed on a vote of 5-0.

B.  Pet Shops: Letter to Owner Encouraging Vendors to Place Shelter Animals

Commissioner Riordan expressed how pleased she was with the program. She suggested that the participants in the program receive public recognition, such as in the form of awarding them with a certificate to display in their pet stores. The General Manager proposed that as the pet shops come on board with the placement program, they also be added to the New Hope Program and its rules.

Scott Sorrentino:  Fully supported the program, but felt something needed to be put in place to prevent unsterilized animals from being sold by pet stores. Added that spot investigations of various pet stores should be conducted.

Daniel Guss:  Commented that the Department needs to fulfill its duty in conducting inspections on these pet stores. The Department could take advantage of free advertising on Channel 35 and have City Council do a public service announcement.

Phyllis Daugherty:  Some of the pet shops have served as fronts for dog fighting operations. There is no way to control that right now. The Department is not conducting investigations. The pet shops are deplorable and did not agree with putting the Department’s animals in those pet shops. There are no adoption procedures for pet shops.

Commissioner Knaan motioned to approve the draft of the letter to the pet shop owners. The motion was seconded by Commissioner Riordan and passed on a vote of 5-0.

6.   REGULAR AGENDA DISCUSSION ITEM

A.  Review of Animal Cruelty Task Force (To be held December 11, 2006)

B.  Request for Devising and Distributing a List for Animals Pending Euthanasia (To be held December 11, 2006)

C.  Status Report on Animal Transfer Program (To be held November 27, 2006)

D.  Final Project at North Central

Ms. Linda Gordon, Sr. Management Analyst II, gave an overview on the latest developments in the project with the North Central Animal Care and Control Center. The first phase of the North Central project involved expansion of the original shelter. As part of expansion, 158 additional kennels were promised to voters. The Department surpassed that mark and was able to deliver 176 additional kennels at North Central. Currently, the second phase of the North Central project, involving renovation, has been placed on hold due to uncertainty with the South Los Angeles project. In August 2003, the project to build a new animal shelter in the South Los Angeles area was stopped, as options to use the shelter site for other purposes began to be explored. The Department is still required to build a new animal shelter in the South Los Angeles area. Since that time however, there has been 140% increase in the cost of construction. What was once a $12.5 million construction budget has now become a $30 million construction budget. As a result plans to construct a new atrium, new cat rooms, and renovate a number of the kennels at North Central have been discontinued, and plans to create a more open examination area, larger food storage, and larger laundry room have been postponed.

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Public Comments

Phyllis Daugherty: Half of the North Central center is already closed down and not being used due to problems with the piping. Asked if the damage would be covered as a contractor error or if it would result in an additional cost to the Department.

(Ms. Gordon responded that sixteen of the kennels at North Central were out of commission due to a hot water line break. She mentioned that there was a facility warrantee for a period of one year and that the contractor would cover the costs. The concrete would be ripped out to locate the leak. The repairs would be completed within four days.)

E. Hearing Process Overview (To be held November 27, 2006)

7. PUBLIC COMMENT PERIOD

Curt Steindler: The current Barking Dog Hearing process was cumbersome and time-consuming. The dog owners often take advantage of the system by moving their dogs on and off the property. The hearing system is overburden with barking dog cases, and during the whole process, the dogs continue to bark and the neighbors continue to suffer from the problem. Suggested having tougher penalties and fines. Also suggested some form of electronic monitoring to track the location of the dogs.

Daniel Guss: Last week, the City paid out $2.7 million for a hostile work environment lawsuit with the Fire Department. Claimed that a similar situation would happen with the Animal Services Department. Commented on the homeless and disabled man who was charged for a microchip that was never placed on his dog.

Phyllis Daugherty: Further commented on the ineffectiveness of reinstating the position of the shelter manager. Said that the captains were not trained in areas of public relations and outreach. Stressed the importance of recruiting more officers to strengthen enforcement. Mentioned to that Lt. Michelle Roache was leaving the Department to join the County as an Assistant Director. Requested spay and neuter vouchers for a manager at the Department of Recreation and Parks in Hawkins Park.

8. ADJOURNMENT

Commissioner Riordan motioned to adjourn. The motion was seconded by Commissioner Aatke and passed on a vote of 5-0. The Commission Meeting was adjourned at 1:50 P.M.