



BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Tuesday, May 13, 2014
10:00 A.M.

LOS ANGELES CITY HALL
200 North Spring Street, Room 1060
Los Angeles, California 90012

DAVID ZAFT
President

ALANA YANEZ
Vice-President

JENNIFER BRENT
LARRY GROSS
ROGER WOLFSON

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For information please call (213) 482-9501.

Si requiere servicios de traduccion, favor de notificar la oficina con 24 horas por anticipado.

REGULAR COMMISSION MEETING

1. PUBLIC COMMENT PERIOD - (Comments from the public on items of public interest within the Board's subject matter jurisdiction and on items not on the Agenda.)

Public Comments: The Brown Act prohibits the Board and staff from responding to the speakers' comments. Some of the matters raised in public comment may appear on a future agenda.

2. COMMISSION BUSINESS

- A. Approval of the Minutes for the Meeting of April 8, 2014 (action required).
- B. Approval of the Minutes for the Meeting of April 22, 2014 (action required).

3 ORAL REPORT OF THE GENERAL MANAGER

4. DISCUSSION ITEMS

- A. Administrative Citation Enforcement (ACE) Program (including an overview of fines and penalties).
- B. Education and Outreach Concerning Spay/Neuter and Licensing Ordinances.
- C. Follow-Up Reports regarding Best Friends Animal Society and New Hope reports.

5. BOARD REPORT

- A. Request To Accept American Society for the Prevention of Cruelty to Animals \$380,000 Donation For New Hope Fees (action required)

6. BOARD AVAILABILITY FOR THE MEETING OF May 27, 2014

7. ADJOURNMENT

Next Commission Meeting is scheduled for 10:00 A.M., May 27, 2014, Los Angeles City Hall, Room 1060, 200 North Spring Street, Los Angeles, CA 90012.

AGENDAS - The Board of Animal Services Commissioners (Board) meets regularly every second (2nd) and fourth (4th) Tuesday of each month at 10:00 A.M. Regular Meetings are held at City Hall, 200 North Spring Street, Room 1060, in Los Angeles, CA 90012. The agendas for Board meetings contain a brief general description of those items to be considered at the meetings. Board Agendas are available at the Department of Animal Services (Department), Administrative Division, 221 North Figueroa Street, 5th Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2nd floor Public Bulletin Board in City Hall East, 200 North Main Street, Los Angeles, CA 90012. Internet users may also access copies of present and prior agenda items, copies of the Board Calendar, MP-3 audio files of meetings as well as electronic copies of approved minutes on the Department's World Wide Web Home Page site at <http://www.laanimalservices.com/CommissionAgendas.htm>

Three (3) members of the Board constitute a quorum for the transaction of business. Some items on the Agenda may be approved without any discussion.

The Board Secretary will announce the items to be considered by the Board. The Board will hear the presentation on the topic and gather additional information from Department Staff. Once presentations have finished, the Board President will ask if any Board Member or member of the public wishes to speak on one or more of these items. Each speaker called before the Commission will have one (1) minute to express their comments and concerns on matters placed on the agenda.

PUBLIC INPUT AT BOARD MEETINGS – Public Participation on Agenda Items.

Please join us at our website: www.LAAnimalServices.com

Members of the public will have an opportunity to address the Board on agenda items after the item is called and before the Board takes action on the item, unless the opportunity for public participation on the item was previously provided to all interested members of the public at a public meeting of a Committee of the Board and the item has not substantially changed since the Committee heard the item. When speaking to an agenda item other than during Public Comment (see Public Comment below), the speaker shall limit his or her comments to the specific item under consideration (California Government Code, Section 54954.3).

Public Comment. The Board will provide an opportunity for public comment at every regular meeting of the Board. Members of the public may address the Board on any items within the subject matter jurisdiction of the Board as part of Public Comment.

Speaker Cards. Members of the public wishing to speak are to fill out one speaker card for each agenda item on which they wish to speak and present it to the Board secretary before the item is called.

Time Limit for Speakers. Speakers addressing the Board will be limited to one (1) minute of speaking time for each agenda item except in public comment which is limited to three (3) minutes. The Chairperson, with the approval of a majority of the Board, may for good cause extend any speaker's time by increments of up to one (1) minute. Total speaker time on any agenda item will be limited to ten (10) minutes per item and fifteen (15) minutes for Public Comment, unless extended as above.

Brown Act. These rules shall be interpreted in a manner that is consistent with the Ralph M. Brown Act, California Government Code Section § 54950 et seq.

STANDARDS OF CONDUCT. Speakers are expected to behave in an orderly manner and to refrain from personal attacks or use of profanity or language that may incite violence.

All persons present at Board meetings are expected to behave in an orderly manner and to refrain from disrupting the meeting, interfering with the rights of others to address the Board and/or interfering with the conduct of business by the Board.

In the event that any speaker does not comply with the foregoing requirements, or if a speaker does not address the specific item under consideration, the speaker may be ruled out of order, their speaking time forfeited and the Chairperson may call upon the next speaker.

The Board, by majority vote, may order the removal from the meeting of any speaker or audience member continuing to behave in a disruptive manner after being warned by the Chairperson regarding their behavior. Section 403 of the California Penal Code states as follows: "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor".

VOTING AND DISPOSITION OF ITEMS – Most items require a majority vote of the entire membership of the Board (3 members). When debate on an item is completed, the Board President will instruct the Secretary to "call the roll". Every member present must vote for or against each item; abstentions are not permitted unless there is a

Conflict of Interest for which the Board member is obliged to abstain from voting. The Secretary will announce the votes on each item. Any member of the Board may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Board of jurisdiction, providing that said member originally voted on the prevailing side of the item. The motion to "reconsider" shall only be in order once during the meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of three members of the Board.

When the Board has failed by sufficient votes to approve or reject an item, and has not lost jurisdiction over the matter, or has not caused it to be continued beyond the next regular meeting, the issue is again placed on the next agenda for the following meeting for the purpose of allowing the Board to again vote on the matter.

ORDINANCE NO. 182610

An ordinance amending Section 11.00 and adding a new Article 1.2 to Chapter I of the Los Angeles Municipal Code to establish the Administrative Citation Enforcement Pilot Program and adding a new Article 11 to Chapter 6 of Division 5 of the Los Angeles Administrative Code to create a special fund titled the Code Compliance Fund.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection (m) of Section 11.00, Article 1, Chapter I of the Los Angeles Municipal Code is amended by adding a new fourth unnumbered paragraph, to be placed between the current third and fourth unnumbered paragraphs, to read as follows:

As an alternative enforcement method that may be used in the sole discretion of the City, violations of this Code may be addressed through the use of an Administrative Citation as set forth in Article 1.2 of Chapter 1 of this Code. The administrative fines prescribed by Chapter 1, Article 1.2 may be sought in addition to any other remedy, including, but not limited to, criminal remedies, injunctive relief, specific performance, and any other remedy provided by law. The remedies provided by Chapter 1, Article 1.2 of this Code are cumulative to those prescribed by this Code or other applicable law and are not exclusive.

Sec. 2. Chapter I of the Los Angeles Municipal Code is amended by adding a new Article 1.2 to read as follows:

**ARTICLE 1.2
ADMINISTRATIVE CITATIONS**

SEC. 11.2.01. PURPOSE AND INTENT.

(a) The City Council of the City of Los Angeles finds that there is a need for an alternative method of enforcement for violations of this Code, applicable statutory provisions, ordinances, uniform codes adopted by the City, orders issued by a commission, board, hearing officer, or other body authorized to issue orders, and any conditions or requirements imposed on or by any entitlement, permit, or environmental document issued or approved by the City.

(b) The City Council finds and determines that an administrative citation program (the Program) is an effective alternative method of enforcement for these violations.

(c) The primary purpose and intent of the City Council, through the adoption of this Article, is to create an alternative method of problem resolution and enforcement that:

1. Fosters timely compliance with the law in order to protect public health, safety and welfare;
2. Provides for the fair, efficient and effective administration of justice;
3. Provides an administrative process that openly and fairly allows for the appeal and review of Administrative Citations and fines imposed;
4. Minimizes the delay and expense of Code enforcement through the only currently available options of criminal prosecution and civil litigation; and
5. Deters the use of dilatory and frivolous challenges to Administrative Violations and facilitate the prompt collection of fines.

(d) The procedures established in this Article shall be in addition to criminal, civil and any other legal remedy established by law which may be pursued to address Administrative Violations. Issuance of an Administrative Citation shall not be deemed a waiver of any other enforcement remedies provided in this Code. The selection of the appropriate remedies lies within the sole discretion of the Issuing Department and, as applicable, by the City Attorney, and shall be consistent with the purpose and intent of this Article.

(e) It is the intent of the City Council that this Administrative Citation Enforcement Program be implemented as a pilot program and in a phased manner. Accordingly, the City Attorney is requested to work with the various departments of the City that have responsibility for enforcing Code provisions and addressing Code violations and are authorized to participate in the Program to implement the Program in the most effective manner to address quality of life issues and to provide training and other preparation in the issuance of Administrative Citations and the process of enforcing them. The phased implementation of the Program shall begin with the Police Department and the Animal Services Department, and the Program may thereafter be implemented one department at a time with the Housing Department and Building and Safety Department being next in order. Prior to proposing the implementation of the Program in the latter two departments, the City Attorney will report to the City Council regarding the implementation of the Program in the Police Department and the Animal Services Department, the experience with and results of the Program, and any recommendations for modifying the Program, and a list of the primary Code sections that will be enforced through the Program by each department. The Housing Department, Building and Safety Department, and other City Departments may be added to the Program with the prior approval of the City Council. The City Attorney will report quarterly to the Council on the implementation of the Program, the experience with and results of the Program, and any recommendations for modifying the Program, and, for information purposes only, a list of the primary Code sections that will be enforced through the Program by each department. Prior to the end of the third year after

implementation of the Program, the City Administrative Officer (CAO) shall report to the City Council on the implementation and progress of the Program, and thereafter the Council will determine whether to continue or end the Program.

SEC. 11.2.02. DEFINITIONS.

For purposes of this Article, the following words and phrases are defined:

"Administrative Citation" means a notice of Administrative Violation issued by an Enforcement Officer.

"Administrative Costs" means all direct and indirect costs incurred as a result of an Administrative Citation hearing, including, but not limited to, reasonable attorney fees, and costs relating to the initial review, scheduling, and processing of the administrative hearing.

"Administrative Fine" means the fine or penalty imposed on the Responsible Person for an Administrative Violation.

"Administrative Hearing Officer" means an independent neutral decision-maker designated by the City as set forth in this Article, such as pro tem judges provided by the Los Angeles Superior Court, Administrative Law Judges as defined by the State of California, and individuals trained in dispute resolution with a minimum of 25 hours of classroom and practical training and experience performing duties related to mediation and conflict resolution in accordance with the requirements of the California Dispute Resolution Programs Act of 1986 (16 CCR Section 3622), who shall be subject to disqualification for bias, prejudice, conflict, or any other reason for which a judicial hearing officer may be disqualified. Administrative Hearing Officers shall not be City employees.

"Administrative Violation" means any violation of this Code, applicable statutory provisions, ordinances, uniform codes adopted by the City, orders issued by a commission, board, hearing officer, or other body authorized to issue orders, or any conditions or requirements imposed on or by any entitlement, permit, or environmental document issued or approved by the City.

"Continuing Violation" means any Administrative Violation pertaining to building, plumbing, electrical, or other structural or zoning matter, that does not create an imminent hazard to health or safety. A Continuing Violation does not include an Administrative Violation that can be corrected by the Responsible Person through the immediate cessation or discontinuation of any prohibited activity or by the immediate implementation of a required activity as determined by the Issuing Department.

"Enforcement Costs" means all direct and indirect costs incurred by the Issuing Department in investigating, inspecting, or abating any Administrative

Violation, including, but not limited to, noncompliance fees as specified in Section 98.0411 and costs incurred in preparing for and attending an Administrative Citation hearing.

"Enforcement Officer" means any police officer, inspector, or other employee or agent of the City having the power to enforce any Administrative Violation, including Enforcement Officers of non-City entities that have the authority to perform such enforcement through cooperation agreements with the LAPD or other City Departments.

"Issuing Department" means the City department or office that has authority and responsibility for enforcing Administrative Violations subject to an Administrative Citation, including non-City entities that have the authority to perform such enforcement through cooperation agreements with the LAPD or other City Departments.

"Minor" means any person under the age of eighteen years.

"Responsible Person" means any person, as defined in Section 11.01(a), who is any of the following:

1. A person who causes or materially contributes to the causation of an Administrative Violation;
2. A person who maintains or allows an Administrative Violation to continue by his or her action or inaction;
3. A person whose agent, employee, or independent contractor causes or materially contributes to the causation of an Administrative Violation;
4. An on-site manager of a business who is responsible for the activities occurring at the premises where an Administrative Violation occurs;
5. A trustee or other person who is given the legal authority to manage property on behalf of someone else where an Administrative Violation occurs;
6. A person who is a parent or guardian having custody and control of a Minor who contributes to the causation of an Administrative Violation;
7. A person who is the owner of, or who exercises control over, or any lessee or sub lessee with the current right of possession of, real property where a property related Administrative Violation occurs.

SEC. 11.2.03. ISSUANCE OF ADMINISTRATIVE CITATION.

(a) Except as provided in Subsection (b) of this Section, whenever an Enforcement Officer determines that an Administrative Violation has occurred, the Enforcement Officer is authorized to issue an Administrative Citation to the Responsible Person(s). If the Responsible Person is a Minor, the Enforcement Officer is authorized to issue an Administrative Citation to the parent(s) or guardian(s) having custody and control of the Minor. Notification of the Administrative Violation to the holder of any lease, mortgage, deed of trust, or other encumbrance of record shall conform to the policies and procedures established by the City Attorney's Office.

(b) When the Administrative Violation pertains to a Continuing Violation, a reasonable period of time to correct the Administrative Violation must be afforded to the Responsible Person prior to imposing an Administrative Fine. If the Administrative Violation is remedied prior to the expiration of the correction period, no Administrative Fine shall be imposed. However, the Responsible Person shall remain liable for and shall pay the Enforcement Costs associated with the Administrative Violation.

(c) Each Administrative Violation shall constitute a separate and distinct offense subject to an Administrative Fine, as provided for in this Article. Each and every day an Administrative Violation exists shall constitute a separate and distinct offense subject to an Administrative Fine, as provided for in this Article.

SEC. 11.2.04. ADMINISTRATIVE FINES.

(a) The amount of the Administrative Fine shall be ascertained by the Enforcement Officer, in accordance with the Administrative Fine schedules set forth in Subsection (b) of this Section, subject to the following limitations:

1. Where the Administrative Violation is designated as an infraction, the Administrative Fine shall not exceed the maximum fine or penalty set forth in this Code for that infraction. If the amount of the fine or penalty for infractions is not specified in this Code, the amount of the Administrative Fine shall not exceed the maximum fine or penalty provided for in Subdivisions (b) and (c) of Section 36900 of the California Government Code.

2. For Administrative Violations involving improvements to, or the use of, buildings, structures, or land for which permits or approval are required but were not obtained, the Administrative Fine levied shall be in the following amounts. For Administrative Violations involving improvements to, or the use of, buildings, structures, or land for which no permit could have been obtained, as determined by the Los Angeles Department of Building and Safety, and no variance was sought, the Administrative Fine levied shall be at four times (4x) the following amounts.

SQUARE FOOTAGE OF THE IMPROVEMENT OR USE IN VIOLATION	ADMINISTRATIVE FINE PER DAY OF VIOLATION		
	First Violation	Second Violation	Third Violation and All Subsequent Violations
250 to less than 500	\$1,000	\$2,000	\$4,000
500 to less than 2,500	\$2,000	\$4,000	\$8,000
2,500 to less than 5,000	\$3,000	\$6,000	\$12,000
5,000 to less than 10,000	\$4,000	\$8,000	\$16,000
10,000 to less than 25,000	\$8,000	\$16,000	\$32,000
25,000 or more	\$16,000	\$32,000	\$64,000

Administrative Violations involving improvements of less than 250 square feet or that are not measureable by square footage shall be cited in accordance with Subsection (b) of this Section.

3. For Administrative Violations involving sign regulations, the Administrative Fine levied shall be in the following amounts:

SQUARE FOOTAGE OF THE SIGN IN VIOLATION	ADMINISTRATIVE FINE PER DAY OF VIOLATION		
	First Violation	Second Violation	Third Violation and All Subsequent Violations
Less than 150 square feet	\$2,000	\$4,000	\$8,000
150 to less than 300 square feet	\$4,000	\$8,000	\$16,000
300 to less than 450 square feet	\$6,000	\$12,000	\$24,000
450 to less than 600 square feet	\$8,000	\$16,000	\$32,000
600 to less than 750 square feet	\$10,000	\$20,000	\$40,000
750 or more square feet	\$12,000	\$24,000	\$48,000

(b) For all other Administrative Violations, the Administrative Fine imposed shall be in the following amounts:

1. Two hundred and fifty dollars (\$250) for a first violation; provided, however that the amount shall be one hundred dollars (\$100) for a first violation of any provision of Chapter V, Article 3, Sections 53.00 and following, of this Code.

2. Five hundred dollars (\$500) for a second violation of the same code provision, statute, ordinance, order, condition or requirement; provided, however that the amount shall be two hundred and fifty dollars (\$250) for a second

violation of the same provision of Chapter V, Article 3, Sections 53.00 and following, of this Code.

3. One thousand dollars (\$1,000) for a third or any subsequent violation of the same code provision, statute, ordinance, order, condition or requirement; provided, however that the amount shall be five hundred dollars (\$500) for a third, and one thousand dollars (\$1,000) for a fourth or any subsequent, violation of the same provision of Chapter V, Article 3, Sections 53.00 and following, of this Code.

4. Nothing in this Section shall preclude or limit the Administrative Hearing Officer's authority to impose a greater Administrative Fine, not to exceed one thousand dollars (\$1,000), in accordance with Subsection (b) of Section 11.2.09.

SEC. 11.2.05. SERVICE PROCEDURES.

(a) An Administrative Citation in a form developed by the Issuing Department and subject to the approval of the City Attorney may be issued to the Responsible Person(s) by an Enforcement Officer for Administrative Violations in the following manner:

1. Personal Service. In any case where an Administrative Citation is issued to an individual, the Enforcement Officer shall:

A. Locate the individual and serve the Administrative Citation on the Responsible Person(s). If the Responsible Person is a Minor, the Enforcement Officer shall also attempt to serve the Administrative Citation on the parent(s) or guardian(s) having custody and control of the Minor.

B. Obtain on the Administrative Citation the signature of the Responsible Person. If the Responsible Person refuses or fails to sign the Administrative Citation, the failure or refusal to sign shall not affect the validity of the Administrative Citation and subsequent proceedings.

2. Service by Mail. If the Enforcement Officer is unable to locate the Responsible Person for the Administrative Violation, the Administrative Citation may be mailed to the Responsible Person by first class mail. If the Responsible Person is known to be a Minor, the Administrative Citation shall be mailed to the parent(s) or guardian(s) having custody and control of the Minor by first class mail.

A. If the Responsible Person is the property owner where a property related Administrative Violation occurs, the Administrative Citation shall be sent to the mailing address shown on the County's last

equalized property tax assessment rolls (if any), and the last known address of the Responsible Person.

B. If the Responsible Person is the tenant or other possessor of property where a property related Administrative Violation occurs, the Administrative Citation shall be sent to the property address.

(b) Service pursuant to Subdivision 1 of Subsection (a) of this Section shall be deemed effective at the time of personal delivery. Service pursuant to Subdivision 2 of Subsection (a) of this Section shall be deemed effective five (5) calendar days following the date of mailing.

SEC. 11.2.06. CONTENTS OF ADMINISTRATIVE CITATION.

(a) The City Attorney shall develop policies and procedures to ensure that the contents of the Administrative Citation provide the Responsible Person with adequate notice regarding the Administrative Violation(s), potential liability, and all rights of appeal.

(b) Where an Administrative Violation can be corrected, the Administrative Citation shall require the Responsible Person to immediately correct the Administrative Violations and shall explain the consequences of failure to correct the Administrative Violations.

(c) If the Administrative Violation pertains to a Continuing Violation, a reasonable period of time to correct the Administrative Violation must be specified on the citation in addition to an explanation of the consequences for failing to correct the Administrative Violation.

SEC. 11.2.07. SATISFACTION OF THE ADMINISTRATIVE CITATION.

Upon receipt of an Administrative Citation, the Responsible Person shall either:

(a) Pay the Fine. Pay the Administrative Fine within fifteen (15) calendar days after service of the Administrative Citation.

1. Payment of the Administrative Fine waives the Responsible Person's right to the administrative hearing and appeal process as outlined in Sections 11.2.08 and 11.2.09, below.

2. Payment of an Administrative Fine shall not excuse or discharge a failure to correct an Administrative Violation, as defined in Subsection (b) of Section 11.2.03, nor shall it bar the Enforcement Officer or Issuing Department from taking any other enforcement action in response to an Administrative Violation; or

(b) Remedy the Administrative Violation. If a specified amount of time was provided to correct an Administrative Violation, as defined in Subsection (b) of Section 11.2.03, and the Responsible Person remedies the Administrative Violation within the time granted, no Administrative Fine shall be imposed. The Administrative Citation shall not be deemed to have been satisfied until the Responsible Person provides proof to the Issuing Department that, within the time allotted by the Administrative Citation, the Administrative Violation was satisfactorily remedied. In addition, the Issuing Department may also demand to inspect the condition that gave rise to the issuance of the Administrative Citation to determine whether the Administrative Violation has been satisfactorily remedied.

The Responsible Person who remedies the Administrative Violation shall remain liable for and shall pay the Enforcement Costs associated with the Administrative Violation. Timely correction of the Administrative Violation does not absolve the Responsible Person of this liability. Collection of Enforcement Costs of violations remedied in this manner shall be the responsibility of the Issuing Department.

SEC. 11.2.08. APPEAL OF THE ADMINISTRATIVE CITATION.

(a) Request for Initial Review and Administrative Hearing. If the Responsible Person chooses to contest the Administrative Citation, the Responsible Person shall submit to the City Attorney a request to do so on an official form provided by the City no later than fifteen (15) calendar days after service of the Administrative Citation. Said form, hereinafter referred to as a Request for Initial Review, shall notify the Responsible Person that an initial review regarding the validity of the Administrative Citation will be conducted prior to scheduling an administrative hearing and shall comply with the policy and procedures established by the City Attorney.

1. Initial Review of Administrative Citation. Upon receipt of the Request for Initial Review, as provided in Subsection (a) of this Section, the City Attorney will conduct an initial review to determine the validity of the Administrative Citation and the appropriate remedy. The City Attorney may make either of the determinations set forth below or, in the exercise of the City Attorney's independent discretion, determine to refer the matter to be addressed through other available remedies including, but not limited to, criminal proceedings, civil action, injunctive relief, specific performance, and any other remedies provided by law.

A. If, following the initial review, the City Attorney determines that the Administrative Violation did not occur, or that extenuating circumstances make dismissal of the Administrative Citation appropriate in the interest of justice, the Administrative Citation shall be dismissed and the Responsible Person notified by mail.

B. If, following the initial review, the City Attorney does not dismiss the Administrative Citation and determines that the administrative remedy being sought is appropriate, the Responsible Person shall be notified by mail and informed of his or her obligation to pay the Administrative Fine within fifteen (15) days of the mailing, or of his or her right to request an administrative hearing pursuant to Subdivision (2) of this Subsection.

2. Contest the Initial Review. If the Responsible Person chooses to contest the outcome of the initial review, within fifteen (15) days of the mailing of the results of the initial review, the Responsible Person shall submit a written request, on an official form provided by the City, requesting an administrative hearing. Said form, hereinafter referred to as a Request for Administrative Hearing, shall include an advance deposit in the full amount of the Administrative Fine or One Thousand dollars (\$1,000), whichever is less, or written proof of financial hardship as specified in Paragraph A of this Subsection. A hearing shall be scheduled when the aforementioned conditions are met. A Responsible Party who fails to submit a Request for Administrative Hearing within fifteen (15) days, or who fails to make the required deposit or provide written proof of financial hardship, will have waived the right to contest the Initial Review.

A. In lieu of the advance deposit required pursuant to Subdivision (2) of this Subsection, written proof of financial hardship, which shall be in the form of a declaration signed by the Responsible Person under penalty of perjury, shall be filed with the City Attorney. The declaration shall state that the Responsible Person earned less than 50% of the median income for the Los Angeles area during the previous tax year, as reported on the Responsible Person's federal income tax return filed with the Internal Revenue Service. The median income for the applicable year shall be as determined by the United States Department of Housing and Urban Development.

3. Code Compliance Fund. All monies derived from the advance deposits identified in Subdivision (2) of this Subsection shall be deposited into the Code Compliance Fund, established pursuant to Article 11 of Chapter 6 of Division 5, Section 5.121.11 of the Los Angeles Administrative Code, and held until the conclusion of the administrative hearing process at which time the monies will either be transferred to the General Fund or refunded to the Responsible Person.

(b) In the event the Responsible Person fails or refuses to satisfy any of the alternatives set forth in Subsection (a) of this Section, as applicable, then the Administrative Fine shall be immediately due and owing the City and may be collected in any manner allowed by law for collection of a debt. The Responsible Person shall also be responsible for any additional fines and costs as set forth in Section 11.2.11.

SEC. 11.2.09. ADMINISTRATIVE HEARING.

(a) Authority for the Administrative Hearing Process. The City Attorney shall create an administrative hearing and appeals process that is consistent with this Article and with due process principles. The City Attorney shall develop, and submit to the City Council for approval prior to the start of the Program, written policies and procedures for the hearing and appeals process and written policies and procedures for the selection and appointment of one or more independent Administrative Hearing Officers to hear and decide administrative citation appeals. The administrative hearing shall be conducted in accordance with the procedures promulgated by the City Attorney.

(b) Powers of the Administrative Hearing Officers. The written policies and procedures developed by the City Attorney pursuant to Subsection (a) of this Section shall set forth the scope of the powers of the Administrative Hearing Officer in accordance with this Section. These enumerated powers include, but are not limited to:

1. The Administrative Hearing Officer shall determine whether the Administrative Violation specified in the Administrative Citation occurred;
2. The Administrative Hearing Officer shall determine whether the assessed Administrative Fine is in accordance with the Administrative Fine schedules provided in Section 11.2.04;
3. The Administrative Hearing Officer shall consider any aggravating or mitigating factors that warrant deviation from the Administrative Fine schedules, provided in Section 11.2.04, so that a greater or lesser Administrative Fine should be imposed. The factors that the Administrative Hearing Officer shall consider, include, but are not limited to:
 - A. the seriousness of the Administrative Violation;
 - B. the duration of the Administrative Violation;
 - C. efforts, if any, to correct the Administrative Violation;
 - D. the negative impacts of the Administrative Violation on the community;
 - E. any instances in which the Responsible Person has been responsible for the same or similar Administrative Violations in the past; and
 - F. any other factors that justice may require.
4. The Administrative Hearing Officer shall assess all Administrative Costs associated with the appeal of the Administrative Citation;

5. The Administrative Hearing Officer shall assess all Enforcement Costs;

6. The Administrative Hearing Officer has the authority to require a Responsible Person to deposit an amount equal to any assessed Administrative Costs or Enforcement Costs in accordance with the policies and procedures established pursuant to the City Attorney.

(c) Time for Administrative Hearing.

1. The City Attorney shall develop policies and procedures that ensure adequate notice and a timely administrative hearing. The Responsible Person shall be notified in writing of the date and time of the hearing by mailing the notice to the address provided by the Responsible Person in the Request for Administrative Hearing.

2. The Responsible Person(s) or Issuing Department may request one continuance pursuant to the procedures established by the City Attorney.

3. The Administrative Hearing Officer may, in his or her discretion, grant or deny a continuance of the hearing date upon a request by the Responsible Party or the Issuing department and a showing of good cause.

(d) Failure to Attend Administrative Hearing.

1. If the Responsible Person or his or her representative fails to attend the scheduled hearing, he or she shall be deemed to have waived his or her right to an administrative hearing. Under these circumstances, the Administrative Hearing Officer shall find the Responsible Person in default, and shall issue a written notice to that effect. A default under this Section shall constitute a forfeiture of the Administrative Fine and a waiver of any right to challenge the assessed Enforcement Costs and Administrative Costs. A default under this Section shall also be a bar to judicial review of the hearing officer decision based upon failure to exhaust administrative remedies. A default under this provision may be set aside by the Administrative Hearing Officer at the request of the Responsible Party upon a showing of good cause for failing to appear at the Administrative Hearing.

2. A Responsible Person who has been issued an Administrative Citation and who has requested an administrative hearing to challenge the citation as provided in this Article may request in writing that his or her challenge to the citation be withdrawn and the hearing cancelled. Upon receipt of a request to withdraw a challenge to the Administrative Citation, the City shall cancel the pending hearing, and issue a written notice to that effect. A withdrawal under this Subdivision shall constitute a forfeiture of the Administrative Fine and a waiver of any right to challenge the assessed Enforcement Costs and Administrative

Costs. A withdrawal under this Subdivision shall also be a bar to judicial review of the hearing officer decision based upon failure to exhaust administrative remedies.

3. If a financial hardship waiver was granted pursuant to Subdivision 2 of Subsection (a) of Section 11.2.08, and the Responsible Person is in default as provided in Subdivision 1 of this Subsection, or a challenge to the citation is withdrawn pursuant to Subdivision 2 of this Subsection, the Administrative Fine, Enforcement Costs, and Administrative Costs shall be due and payable by the Responsible Person(s) to the City within twenty (20) calendar days following the date that had been set for the administrative hearing.

4. The City may dismiss an Administrative Citation at any time if it is determined to have been issued in error.

(e) Procedures at the Administrative Hearing.

1. Administrative hearings are informal in nature, and formal rules of evidence and discovery do not apply. The proceedings shall be audio-recorded by the City.

2. The City bears the burden of proof at an administrative hearing to establish the existence of the Administrative Violation specified on the citation. The Administrative Hearing Officer shall use preponderance of the evidence as the standard of proof in deciding the issues.

3. The Administrative Citation and any additional documents submitted by the Issuing Department shall be accepted by the Administrative Hearing Officer as prima facie evidence of the respective facts contained in those documents. The Enforcement Officer may attend the hearing but is not required to do so.

4. Each party shall have the opportunity to testify, cross-examine witnesses, and present witnesses and evidence in support of his or her case. Written and oral evidence submitted at the hearing shall be submitted under penalty of perjury. Documentary and other tangible evidence must be authenticated to the satisfaction of the Administrative Hearing Officer. Nothing shall preclude the use of telephonic or other electronic means of communication if deemed appropriate by the Administrative Hearing Officer.

(f) Decision of the Administrative Hearing Officer. After considering all of the testimony and evidence submitted at the hearing, the Administrative Hearing Officer shall, within fifteen (15) days thereafter, render a decision in writing. The decision rendered by the Administrative Hearing Officer is not exclusive and does not preclude or foreclose the City Attorney's Office from pursuing any and all other remedies provided by law. The Administrative Hearing Officer shall render a decision as follows:

1. Determine that the Administrative Violation specified in the citation is founded, and impose an Administrative Fine in the amount set forth in the citation and if the Administrative Violation has not been corrected as of the date of the hearing, order correction of the Administrative Violation; or

2. Determine that the Administrative Violation specified in the citation is founded, but that the Administrative Fine was incorrectly assessed with the Administrative Fine schedules as provided for in Section 11.2.04, warranting imposition of a lesser or greater Administrative Fine than that prescribed in the citation and impose a lesser or greater Administrative Fine and, if the Administrative Violation has not been corrected as of the date of the hearing, order that the Administrative Violation be corrected; or

3. Determine that the Administrative Violation specified in the citation is founded, but that the Issuing Department or the Responsible Party has introduced credible evidence of aggravating or mitigating circumstances warranting imposition of a greater or lesser penalty than that prescribed in the Administrative Fine schedules, as provided for in Section 11.2.04, and impose a greater or lesser Administrative Fine, and if the Administrative Violation has not been corrected as of the date of the hearing, order that the Administrative Violation be corrected; or

4. Determine that the Administrative Violation specified in the citation did not occur and cancel the Administrative Fine; and

5. Determine the amount of the Enforcement Costs and associated Administrative Costs to be imposed, if any.

(g) The Administrative Order shall include the reasons for the decision and be served on all parties by any one of the methods listed in Section 11.2.05 of this Article or through service by first-class mail, postage prepaid on the Responsible Person(s) at the address he or she provided in the Request for Administrative Hearing. In addition to the matters set forth in Subsection (f) of this Section, the decision rendered by the Administrative Hearing Officer shall address the following:

1. Administrative Fines

A. If the Administrative Hearing Officer imposes an Administrative Fine, the City shall keep the funds deposited at the time of the hearing request. If the deposited funds are less than the Administrative Fine, the Responsible Person(s) shall pay the outstanding amount of the Administrative Fine to the City within twenty (20) calendar days of the Administrative Order becoming final. If the deposited funds equal more than the Administrative Fine, the City shall promptly refund the appropriate amount of the funds to the Responsible Person(s).

B. If the Administrative Hearing Officer determines that the Administrative Violation specified in the citation did not occur and cancels the Administrative Fine, then the City shall promptly refund the amount of funds deposited by the Responsible Person at the time of the hearing request and no Enforcement Costs or Administrative Costs shall be assessed.

2. Enforcement Costs and Administrative Costs

A. Enforcement Costs. The Administrative Order shall assess all reasonable Enforcement Costs to be paid by the Responsible Person. The Responsible Person(s) shall pay the Enforcement Costs to the City within twenty (20) calendar days of the Administrative Order becoming final.

B. Administrative Costs. The Administrative Order shall assess all reasonable Administrative Costs to be paid by the Responsible Person. The Responsible Person(s) shall pay the Administrative Costs to the City within twenty (20) calendar days of the Administrative Order becoming final.

3. The Administrative Order shall become final on the date of mailing or other service, and shall notify the Responsible Person(s) of his or her right to appeal.

SEC. 11.2.10. RIGHT TO JUDICIAL REVIEW.

(a) Once an Administrative Order becomes final as provided in this Article, no further appeal may be filed pursuant to the provisions of this Code, except as provided for in this Section, or as otherwise provided by law.

(b) Once an Administrative Order becomes final, the time in which judicial review of the order must be sought shall be governed by California Code of Civil Procedure Section 1094.6.

(c) Should any court of competent jurisdiction determine that the City must provide an appeal to any final Administrative Order in a manner other than set forth in California Code of Civil Procedure section 1094.6, then it is the intent of the City Council that the administrative penalty process remain as provided herein and to provide that any appeal which is timely requested follow the procedures set forth in Government Code Section 53069.4.

SEC. 11.2.11. FAILURE TO PAY ADMINISTRATIVE FINES AND COSTS.

(a) Any Responsible Person who is issued an Administrative Citation pursuant to this Article, excluding Administrative Violations defined in Subsection (b) of Section 11.2.03, and does not pay within fifteen (15) calendar days, shall be assessed a late payment collection fee of \$50.00 which shall be charged in addition to any other assessed fines and fees. The City may use any legal remedy available to collect any unpaid Administrative Fine. These remedies include, but are not limited to, criminal remedies, civil action, injunctive relief, specific performance, and the recordation of a lien or a notice of the Administrative Violation against real property pursuant to the procedures set forth in this Code and in accordance with applicable law.

(b) Any Responsible Person who is issued an Administrative Citation pursuant to this Article for an Administrative Violation defined in Subsection (b) of Section 11.2.03, and does not pay within fifteen (15) calendar days from the conclusion of the time afforded to remedy the Administrative Violation, shall be assessed a late payment collection fee of \$50.00 which shall be charged in addition to any other assessed fines and fees. The City may use any legal remedy available to collect any unpaid Administrative Fine. These remedies include, but are not limited to, criminal remedies, civil action, injunctive relief, specific performance, and the recordation of a lien or a notice of the Administrative Violation against real property pursuant to the procedures set forth in this Code and in accordance with applicable law.

(c) Notwithstanding Subsections (a) and (b) of this Section, if the Responsible Person chooses to contest the Administrative Citation pursuant to Section 11.2.08 of this Article, and fails to pay the assessed Administrative Fine, Enforcement Costs, and Administrative Costs within twenty (20) calendar days of the Administrative Order becoming final, the Responsible Person shall be assessed a late payment collection fee of \$50.00, which shall be charged in addition to any other assessed fines and fees. The City may use any legal remedy available to collect any unpaid Administrative Fine or to gain compliance with the Administrative Order. These remedies include, but are not limited to, criminal remedies, civil action, injunctive relief, specific performance, and the recordation of a lien or a notice of the Administrative Violation against real property pursuant to the procedures set forth in this Code and in accordance with applicable law.

(d) In the event a civil action is commenced to collect the Administrative Fine, Enforcement Costs, or Administrative Costs, the City shall be entitled to recover reasonable attorney's fees and all costs associated with the civil action. Costs include, but are not limited to, staff time incurred in the collection of the Administrative Fine, Enforcement Costs, and Administrative Costs, and those costs set forth in Code of Civil Procedure Section 1033.5.

(e) Failure to pay any Administrative Fine, Enforcement Costs, or Administrative Costs when due as provided in this Article is a misdemeanor.

SEC. 11.2.12. DEPOSIT OF MONIES COLLECTED.

All monies collected pursuant to the provisions of this Article shall be deposited in the Code Compliance Fund, established pursuant to Article 11 of Chapter 6 of Division 5, Sections 5.121.11 and following, of the Los Angeles Administrative Code.

SEC. 11.2.13. SEVERABILITY.

If any section, subsection, subdivision, sentence, clause, or phrase of this Article is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Article. The City Council hereby declares that it would have passed this Article and each section, subsection, subdivision, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, subdivisions, clauses or phrases may be declared to be invalid or unconstitutional.

Sec. 3. Division 5, Chapter 6 of the Los Angeles Administrative Code is amended by adding a new Article 11 to read as follows:

CHAPTER 6, ARTICLE 11 CODE COMPLIANCE FUND

SEC. 5.121.11. Creation and Administration of Fund.

(a) There is hereby created and established in the Treasury of the City of Los Angeles a special fund to be known as the **Code Compliance Fund (the "Fund")**. The purpose of the Fund shall be for the receipt of all monies collected pursuant to Chapter 1, Article 1.2, Sections 11.2.01 and following, of the Los Angeles Municipal Code, which, except for amounts required to be refunded pursuant to Los Angeles Municipal Code Section 11.2.09, shall constitute General Fund receipts. Receipts to the Fund shall be recorded as Administrative Fines, Enforcement Costs, or Administrative Costs respectively by the issuing Department. The Fund shall be under control of the City Council for all purposes, subject to the approval of the Mayor in the same manner and to the same extent as similar budget actions, and shall be administered by the Office of Finance. The Office of Finance shall work with the City Departments and the City Attorney to establish a system for the receipt and deposit of all receipts required to be deposited into the Fund.

(b) A separate account shall be established for deposit of all monies derived from the advance deposits identified in Article 1.2 of Chapter 1, Sections 11.2.01 and following, of the Los Angeles Municipal Code, which are required to be deposited into the Fund and held until the conclusion of the administrative hearing process at which time the monies will either be transferred to the general account of the Fund or refunded to the Responsible Person. Monies remaining in this account of the Fund at the end of the fiscal year shall not revert to the Reserve Fund pursuant to Charter Section 344.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUN 27 2013.

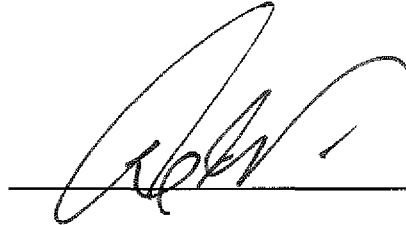
JUNE LAGMAY, City Clerk

By



Deputy

Approved JUN 27 2013



Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By



WILLIAM W. CARTER
Chief Deputy City Attorney

Date

6/27/13

File No. 10-0085 and 10-0600

DAVID ZAFT
PRESIDENT

ALANA YANEZ
PRESIDENT

JENNIFER BRENT

LARRY GROSS

ROGER WOLFSON



ERIC GARCETTI
MAYOR

221 North Figueroa Street
5th Floor
Los Angeles, CA 90012
(888) 452-7381
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BRENDA F. BARNETTE
General Manager

JOHN CHAVEZ
Assistant General Manager

Report to the Board of Animal Services Commissioners
Brenda Barnette, General Manager

COMMISSION MEETING DATE: May 13, 2014

PREPARED BY: John Chavez

REPORT DATE: May 9, 2014

TITLE: Asst. General Manager

**SUBJECT: REQUEST TO ACCEPT AMERICAN SOCIETY FOR THE PREVENTION OF
CRUELTY TO ANIMALS \$380,000 DONATION FOR NEW HOPE FEES**

BOARD ACTIONS RECOMMENDED:

That the Board, subject to the approval of the Mayor and Council:

Authorize the General Manager of the Department of Animal Services to:

1. ACCEPT the American Society for the Prevention of Cruelty to Animals (ASPCA) funds in the amount of \$380,000 to pay for New Hope adoption fees;
1. AUTHORIZE the Department of Animal Services to deposit grant receipts in the Animal Welfare Trust Fund (Fund 859);
2. AUTHORIZE the Controller to establish a grant receivable in Fund 859 and establish an appropriation account titled ASPCA New Hope Adoptions, account number to be determined, within Fund 859 for the receipt and disbursement of the ASPCA donation;
3. AUTHORIZE the Department of Animal Services to prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions; and,
4. DIRECT staff, upon approval, to transmit the proposed action to the Office of the Mayor.

Report to the Board of Animal Services Commissioners
ASPCA DONATION TO PAY FOR NEW HOPE ADOPTIONS
May 13, 2014

SUMMARY

The Department of Animal Services seeks approval to accept a \$380,000 grant from the ASPCA. These funds would be used to offset the cost of the \$40 spay/neuter deposit New Hope partners are required to pay when they adopt animals.

BACKGROUND

There are 236 "New Hope" partners working with the Department of Animal Services. These 501(c)(3) nonprofit organizations serve as rescue groups who adopt shelter animals and put them into homes. In 2012-13, New Hope partners adopted 8,726 animals.

These partners are required to pay a \$40 spay/neuter deposit. (Los Angeles-based New Hope organizations are required to pay a \$5.50 tax, in addition to the deposit.) This deposit is used to sterilize an animal -- as required by state law -- before an animal is released from the shelter.¹

To spur adoptions from New Hope partners, the ASPCA agreed to subsidize one year's worth of New Hope adoptions. Because this amount is over \$25,000, both Board and City Council authority is required to accept the donation.

FISCAL IMPACT

Approval of the recommendations in this report will provide \$380,000 in funding to the Animal Welfare Trust Fund. Acceptance of the grant will have no impact on the General Fund.

Approved:

Brenda F Barnette
Brenda Barnette, General Manager

BOARD ACTION:

_____ Passed

Disapproved _____

_____ Passed with noted modifications

Continued _____

_____ Tabled

New Date _____

¹ Animal Services proposed, and the Board of Animal Services Commissioners agreed, to increase this \$40 deposit into a \$50 flat-fee that can be used for sterilization, microchips, and/or vaccinations. If approved, there would no longer be a deposit dedicated solely to spay/neuter surgery (C.F. 13-1190). This item is expected to be heard in the Personnel and Animal Welfare Committee shortly.

LAAS Animal Report from Best Friends

LAAS ID#	Date of Birth	Type	Microchip Number	Sex	Name	Primary Breed	S/N prior to intake	Exam/ Surgery	S/N or Confirmed date	Current s/n	Rabies Date	Outcome Type	Release Date	Adopter or Agency Name	Adopter or Agency Address	City	Zip
10/25/2012	Dog			M	Koda	Rhodesian Ridgeback	Yes	Previous S/N confirmed	9/4/13	Yes	9/1/13	Adoption	3/9/14			IRVINE California	92612
11/16/2012	Cat			M	Bowser	Domestic Shorthair	Yes	LAAS S/N Surgery	12/17/13	Yes	2/27/14	Adoption	3/5/14			NORTH HOLLYWOOD California	91601
2/13/2009	Cat			F	Peaches	Domestic Shorthair	Yes	LAAS S/N Surgery	2/13/14	Yes	2/15/14	Adoption	3/7/14			SUN VALLEY California	91352
7/8/2009	Dog			M	Mickey	Chihuahua, Short Coat	Yes	Previous S/N confirmed	7/24/12	Yes	3/8/14	Adoption	3/9/14			SAN FERNANDO California	91340
12/23/2010	Dog			M	Little Man	Chihuahua, Short Coat	Yes	Previous S/N confirmed	10/23/11	Yes	12/4/13	Adoption	3/8/14			CANOGA PARK California	91304
4/4/2007	Cat			F	Zoe	Domestic Shorthair	Yes	Previous S/N confirmed	11/27/13	Yes	2/7/14	Adoption	3/9/14			SHERMAN OAKS California	91423
1/1/1998	Cat			F	Cassandra	Domestic Medium Hair	Yes	Previous S/N confirmed	6/29/13	Yes	1/11/14	Transfer Out	3/3/14			BEST FRIENDS Animal Society Sanctuary	KANAB Utah 84741
4/15/2012	Cat			F	Patty	Domestic Medium Hair	Yes	Feline Spay	7/6/12	Yes	1/14/14	Adoption	3/9/14			SHERMAN OAKS California	91403
3/22/2012	Dog			M	Deputy	Boxer	Yes	Canine Neuter	3/23/13	Yes	3/4/14	Adoption	3/4/14			Birds + Animals Unlimited	1125 Bulla Vista ACTON California 93510
7/5/2011	Dog			F	Mila	Terrier	Yes	Canine Spay	7/26/13	Yes	7/26/13	Transfer Out	3/4/14			Kitsap Humane Society	SILVERDALE Washington 98383
2/27/2010	Dog			M	Parnell	Pekingese	Yes	LAAS S/N Surgery	3/3/13	Yes	3/5/14	Adoption	3/5/14			SIMI VALLEY California	93063
10/20/2013	Cat			M	Theo	Domestic Shorthair	Yes	LAAS S/N Surgery	2/20/14	Yes	2/21/14	Adoption	3/8/14			BURBANK California	91502

2/18/2012	Dog	M	Atlas	Miniature Pinscher	Yes	Previous S/N confirmed	2/13/14	Yes	2/21/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
12/2/2013	Dog	M	Manning	Chihuahua, Short Coat	No	Canine Neuter	3/4/14	Yes	too young	Adoption	3/8/14	Greenhill Humane Society	88530 Green Hill Road	SYLMAR California	91342
5/25/2013	Dog	F	Jennie	Terrier, Jack Russell	No	Canine Spay	1/31/14	Yes	1/31/14	Transfer Out	3/4/14	Kissap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
10/29/2013	Cat	F	Emmylou	Domestic Shorthair	Yes	LAAS S/N Surgery	2/26/14	Yes	3/3/14	Adoption	3/6/14	Greenhill Humane Society	88530 Green Hill Road	LOS ANGELES California	90016
7/3/2013	Dog	M	Ravioli	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/13/14	Yes	2/19/14	Adoption	3/8/14	Greenhill Humane Society	88530 Green Hill Road	LOS ANGELES California	90006
11/15/2011	Dog	M	Cookie	Dachshund, Miniature Smooth Haired	No	Canine Neuter	11/27/13	Yes	11/27/13	Transfer Out	3/4/14	Kissap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
2/25/2010	Cat	F	Jo	Domestic Shorthair	No	Previous S/N confirmed	2/28/14	Yes	2/28/14	Adoption	3/4/14	Greenhill Humane Society	88530 Green Hill Road	CANYON COUNTRY California	91387
10/20/2013	Cat	M	Thomas	Domestic Shorthair	Yes	LAAS S/N Surgery	2/20/14	Yes	2/21/14	Adoption	3/6/14	Greenhill Humane Society	88530 Green Hill Road	BURBANK California	91502
8/12/2010	Dog	M	Mickey	Dachshund, Miniature Smooth Haired	Yes	LAAS S/N Surgery	2/19/14	Yes	2/21/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
11/29/2013	Dog	M	Santos	Terrier	Yes	LAAS S/N Surgery	2/14/14	Yes	too young	Adoption	3/5/14	Greenhill Humane Society	88530 Green Hill Road	SYLMAR California	91342
2/18/2013	Dog	M	Chili	Terrier, Fox Toy	Yes	LAAS S/N Surgery	2/18/14	Yes	2/21/14	Transfer Out	3/4/14	Kissap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
7/6/2013	Dog	M	Brown	Retriever, Labrador	Yes	Canine Neuter	11/15/13	Yes	3/5/14	Adoption	3/4/14	Greenhill Humane Society	88530 Green Hill Road	SYLMAR California	91342
6/19/2012	Dog	F	Pixie	Miniature Pinscher	No	Canine Spay	2/28/14	Yes	2/28/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
4/12/2013	Dog	M	Churro	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/19/14	Yes	2/22/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402

6/1/2013	Dog	[REDACTED]	M	Chapito	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	1/31/14	Yes	2/21/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
1/22/2013	Cat	[REDACTED]	M	Dexter	Domestic Shorthair	Yes	LAAS S/N Surgery	1/31/14	Yes	2/20/14	Adoption	3/6/14	[REDACTED]	[REDACTED]	LOS ANGELES California	90016
2/4/2010	Dog	[REDACTED]	M	Tazzy	Welsh Corgi, Cardigan	Yes	Previous S/N confirmed	2/4/14	Yes	2/22/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
2/12/2011	Dog	[REDACTED]	M	Dale	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/19/14	Yes	2/21/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
2/7/2013	Dog	[REDACTED]	M	Biscuit	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/13/14	Yes	2/21/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
2/3/2013	Dog	[REDACTED]	M	Newmann	Terrier, Jack Russell	Yes	LAAS S/N Surgery	2/11/14	Yes	2/19/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
2/16/2013	Dog	[REDACTED]	F	Annie	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/20/14	Yes	2/25/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
2/15/2012	Dog	[REDACTED]	F	Portia	Poodle, Miniature	No	Canine Spay	2/25/14	Yes	2/25/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
8/17/2012	Dog	[REDACTED]	F	Lady Sibyl	Chihuahua, Short Coat	No	Previous S/N confirmed	2/25/14	Yes	2/25/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
4/14/2013	Dog	[REDACTED]	F	Laika	Terrier, Jack Russell	No	Canine Spay	2/19/14	Yes	2/19/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon	97402
1/25/2010	Dog	[REDACTED]	F	Fifa	Terrier	Yes	Previous S/N confirmed	2/12/14	Yes	2/12/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383
6/22/2013	Cat	[REDACTED]	M	Whiskers	Domestic Shorthair	Yes	LAAS S/N Surgery	2/28/14	Yes	3/5/14	Adoption	3/6/14	[REDACTED]	[REDACTED]	BURBANK California	91505
8/7/2011	Dog	[REDACTED]	M	Frankie	Doberman, Miniature Smooth Haired	Yes	LAAS S/N Surgery	2/13/14	Yes	2/22/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington	98383

2/24/2011	Dog	[REDACTED]	M	Obrian	Terrier	No	Canine Neuter	3/4/14	Yes	3/4/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon 97402
2/18/2010	Dog	[REDACTED]	M	Rigby	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/19/14	Yes	2/22/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington 98383
2/13/2011	Dog	[REDACTED]	F	Kathy	Chihuahua, Short Coat	No	Canine Spay	2/22/14	Yes	2/22/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon 97402
2/18/2013	Dog	[REDACTED]	M	Dean	Chihuahua, Short Coat	No	Canine Neuter	2/25/14	Yes	2/25/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon 97402
2/22/2010	Dog	[REDACTED]	M	Bruce	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/11/14	Yes	2/19/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon 97402
2/12/2011	Dog	[REDACTED]	M	Shane	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/16/14	Yes	2/22/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon 97402
1/21/2013	Dog	[REDACTED]	F	Tinkerbell	Chihuahua, Short Coat	No	Canine Spay	1/30/14	Yes	1/30/14	Transfer Out	3/4/14	Kitsap Humane Society	9167 Dickey Road	SILVERDALE Washington 98383
11/12/2009	Cat	[REDACTED]	F	China	Domestic Shorthair	Yes	Feline Spay	12/12/13	Yes	12/12/13	Adoption	3/9/14	[REDACTED]	[REDACTED]	WEST HILLS California 91307
12/13/2011	Dog	[REDACTED]	M	Pancho	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	1/2/14	Yes	2/19/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road	EUGENE Oregon 97402
8/31/2012	Dog	[REDACTED]	F	Mila	Border Collie	Yes	Canine Spay	9/14/13	Yes	9/14/13	Adoption	3/4/14	[REDACTED]	1125 Bulla Vista	ACTON California 93510
2/7/2011	Dog	[REDACTED]	F	Juliette	Rottweiler	No	Canine Spay	2/19/14	Yes	2/19/14	Adoption	3/3/14	[REDACTED]	[REDACTED]	CANYON COUNTRY California 91351
2/15/2011	Dog	[REDACTED]	F	Roxi	Beagle	Yes	Previous S/N confirmed	2/15/14	Yes	2/18/14	Adoption	3/9/14	[REDACTED]	[REDACTED]	PORTER RANCH California 91326
10/29/2013	Cat	[REDACTED]	F	Wynona	Domestic Shorthair	Yes	LAAS S/N Surgery	2/26/14	Yes	3/3/14	Adoption	3/6/14	[REDACTED]	[REDACTED]	GLENDAL California 91206

10/29/2013	Cat	[REDACTED]	F	Dolly	Domestic Shorthair	No	Feline Spay	3/4/14	Yes	3/4/14	Adoption	3/4/14	[REDACTED]	NORTHBRIDGE California	91325
2/11/2012	Dog	[REDACTED]	F	Delliah	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/15/14	Yes	2/25/14	Transfer Out	3/4/14	Kissp Humane Society	9167 Dickey Road Washington	SILVERDALE 98383
10/29/2013	Cat	[REDACTED]	F	Paisy	Domestic Shorthair	Yes	LAAS S/N Surgery	2/26/14	Yes	3/3/14	Adoption	3/3/14	[REDACTED]	GRANADA HILLS California	91344
9/3/2013	Cat	[REDACTED]	F	Pearl	Russian Blue	Yes	LAAS S/N Surgery	3/1/14	Yes	3/6/14	Adoption	3/5/14	[REDACTED]	12955 Louise Avenue GRANADA HILLS California	91344
1/4/2010	Dog	[REDACTED]	F	Juno	Buildog, American	Yes	LAAS S/N Surgery	1/30/14	Yes	2/19/14	Adoption	3/8/14	[REDACTED]	4538 Alamo Street SIMI VALLEY California	93063
2/5/2012	Dog	[REDACTED]	F	Regina	Terrier Jack Russell	No	Canine Spay	2/13/14	Yes	2/13/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road EUGENE Oregon	97402
11/1/2006	Dog	[REDACTED]	M	Louie	Chihuahua, Short Coat	Yes	Previous S/N confirmed	3/3/14	Yes	3/3/14	Adoption	3/3/14	[REDACTED]	7560 Woodman Place VAN NUYS California	91405
12/30/2013	Dog	[REDACTED]	F	Hennessey	Australian Shepherd	Yes	LAAS S/N Surgery	2/21/14	Yes	too young	Adoption	3/4/14	[REDACTED]	RESEDA California	91335
2/8/2010	Dog	[REDACTED]	F	Mina	Chihuahua, Short Coat	Yes	LAAS S/N Surgery	2/21/14	Yes	3/1/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road EUGENE Oregon	97402
2/3/2013	Dog	[REDACTED]	M	Tyler	Terrier Jack Russell	Yes	LAAS S/N Surgery	2/11/14	Yes	2/19/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road EUGENE Oregon	97402
6/28/2006	Dog	[REDACTED]	F	Zoe	Retriever, Labrador	Yes	Previous S/N confirmed	7/26/13	Yes	7/10/13	Adoption	3/6/14	[REDACTED]	VAN NUYS California	91406
8/5/2012	Dog	[REDACTED]	M	Charlie	Spaniel, Cavalier King Charles	Yes	Previous S/N confirmed	2/5/14	Yes	2/6/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road EUGENE Oregon	97402
7/5/2013	Cat	[REDACTED]	F	Sally	Domestic Longhair	No	Previous S/N confirmed	3/8/2014	Yes	3/8/14	Adoption	3/8/14	[REDACTED]	NORTH HILLS California	91343
8/21/2012	Dog	[REDACTED]	M	Butters	Beagle	Yes	Previous S/N confirmed	2/21/14	Yes	2/22/14	Transfer Out	3/6/14	Greenhill Humane Society	88530 Green Hill Road EUGENE Oregon	97402

11/7/2009	Cat		F	Fuffy	Domestic Medium Hair	Yes	Previous S/N confirmed	12/29/13	Yes	12/29/13	Adoption	41704.663	LOS ANGELES California	90066
2/18/2013	Dog		F	Renee	Retriever, Labrador	Yes	Canine Spay	2/25/2014	Yes	2/25/2014	Adoption	41701.716	LOS ANGELES California	90064
4/9/2011	Cat		F	Valentina	Domestic Shorthair	Yes	Feline Spay	10/23/13	Yes	10/23/13	Adoption	41705.709	CULVER CITY California	90230
2/7/2012	Cat		F	Hart	Domestic Shorthair	Yes	LAAS S/N Surgery	2/13/14	Yes	2/16/14	Adoption	41703.874	BURBANK California	91504
2/6/2011	Cat		F	Haley	Domestic Shorthair	Yes	Feline Spay	2/19/2014	Yes	2/19/2014	Adoption	41702.732	LOS ANGELES California	90024
6/18/2012	Cat		M	Don	Domestic Shorthair	Yes	LAAS S/N Surgery	7/12/13	Yes	7/21/13	Adoption	41705.814	WEST HOLLYWOOD California	90069
2/18/2012	Cat		F	Precious	Domestic Shorthair	Yes	LAAS S/N Surgery	2/24/14	Yes	3/1/14	Adoption	41705.946	LOS ANGELES California	90024
8/3/2012	Dog		F	Mae	Chihuahua, Short Coat	Yes	Canine Spay	2/18/2014	Yes	2/18/2014	Adoption	41702.909	LOS ANGELES California	90077
12/30/2013	Dog		M	Finnigan	Australian Shepherd	Yes	LAAS S/N Surgery	2/21/14	Yes	too young	Adoption	41704.778	NORTH HOLLYWOOD California	91602
12/30/2013	Dog		M	Shamrock	Australian Shepherd	Yes	LAAS S/N Surgery	2/21/14	Yes	too young	Adoption	41706.734	LAGUNA NIGUEL California	92677
3/2/2013	Cat		M	Malcolm	Russian Blue	Yes	Feline Neuter	3/6/2014	Yes	3/6/2014	Adoption	41705.908	LOS ANGELES California	90025
1/7/2014	Dog		F	Amelia Gabbie	Chihuahua, Short Coat	Yes	Canine Spay	3/7/14	Yes	too young	Adoption	41707.781	LOS ANGELES California	90049
1/7/2014	Dog		M	Christopher Robin	Chihuahua, Short Coat	Yes	Canine Neuter	3/7/14	Yes	too young	Adoption	41706.857	LOS ANGELES California	90020

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**DEPARTMENT OF
ANIMAL SERVICES**

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5th Floor
Los Angeles, CA 90012
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BRENDA F. BARNETTE
General Manager

JOHN CHAVEZ
Assistant General Manager

Report to the Board of Animal Services Commissioners
Brenda Barnette, General Manager

COMMISSION MEETING DATE: May 13, 2014

PREPARED BY: John Chavez

REPORT DATE: May 9, 2014

TITLE: Asst. General Manager

**SUBJECT: REQUEST TO ACCEPT AMERICAN SOCIETY FOR THE PREVENTION OF
CRUELTY TO ANIMALS \$380,000 DONATION FOR NEW HOPE FEES**

BOARD ACTIONS RECOMMENDED:

That the Board, subject to the approval of the Mayor and Council:

Authorize the General Manager of the Department of Animal Services to:

1. ACCEPT the American Society for the Prevention of Cruelty to Animals (ASPCA) funds in the amount of \$380,000 to pay for New Hope adoption fees;
1. AUTHORIZE the Department of Animal Services to deposit grant receipts in the Animal Welfare Trust Fund (Fund 859);
2. AUTHORIZE the Controller to establish a grant receivable in Fund 859 and establish an appropriation account titled ASPCA New Hope Adoptions, account number to be determined, within Fund 859 for the receipt and disbursement of the ASPCA donation;
3. AUTHORIZE the Department of Animal Services to prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions; and,
4. DIRECT staff, upon approval, to transmit the proposed action to the Office of the Mayor.

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Report to the Board of Animal Services Commissioners
ASPCA DONATION TO PAY FOR NEW HOPE ADOPTIONS
May 13, 2014

SUMMARY

The Department of Animal Services seeks approval to accept a \$380,000 grant from the ASPCA. These funds would be used to offset the cost of the \$40 spay/neuter deposit New Hope partners are required to pay when they adopt animals.

BACKGROUND

There are 236 “New Hope” partners working with the Department of Animal Services. These 501(c)(3) nonprofit organizations serve as rescue groups who adopt shelter animals and put them into homes. In 2012-13, New Hope partners adopted 8,726 animals.

These partners are required to pay a \$40 spay/neuter deposit. (Los Angeles-based New Hope organizations are required to pay a \$5.50 tax, in addition to the deposit.) This deposit is used to sterilize an animal -- as required by state law – before an animal is released from the shelter.¹

To spur adoptions from New Hope partners, the ASPCA agreed to subsidize one year’s worth of New Hope adoptions. Because this amount is over \$25,000, both Board and City Council authority is required to accept the donation.

FISCAL IMPACT

Approval of the recommendations in this report will provide \$380,000 in funding to the Animal Welfare Trust Fund. Acceptance of the grant will have no impact on the General Fund.

Approved:

Brenda Barnette, General Manager

BOARD ACTION:

_____ Passed

Disapproved _____

_____ Passed with noted modifications

Continued _____

_____ Tabled

New Date _____

¹ Animal Services proposed, and the Board of Animal Services Commissioners agreed, to increase this \$40 deposit into a \$50 flat-fee that can be used for sterilization, microchips, and/or vaccinations. If approved, there would no longer be a deposit dedicated solely to spay/neuter surgery (C.F. 13-1190). This item is expected to be heard in the Personnel and Animal Welfare Committee shortly.

Main Screen

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LA Owner Registration

https://anivet.lacity.org/portal/main.cfm

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ANIMAL SERVICES

welcome.

HOME MY VIEWS ADD UNLISTED MY OPTIONS LOGOUT

Listing of animals.

Animal ID	Animal Type	Primary Breed	Sex S/N	Date	Shelter	Pull Date	Who Pulled	Options
DOG	LABRADOR RETR	F	01/01/1900	N CENTRA	03/09/2014		Adopted Deceased Transfer Still have	
DOG	BRUSS GRIFFON	M	01/01/1900	W VALLEY	03/06/2014		Adopted Deceased Transfer Still have	
DOG	AUST CATTLE DOG	F	01/01/1900	W LA	03/19/2014		Adopted Deceased Transfer Still have	
DOG	JACK RUSS TERR	S	01/01/1900	N CENTRA	03/29/2014		Adopted Deceased Transfer Still have	
DOG	CHIHUAHUA SH	F	01/01/1900	W VALLEY	03/28/2014		Adopted Deceased Transfer Still have	
DOG	TERRIER MIX	S	01/10/2014	W LA	03/29/2014		Adopted Deceased Transfer Still have	
DOG	TERRIER MIX	F	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	LHASA APSO	F	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	PEKINGESE	M	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	CHIHUAHUA SH	F	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	TERRIER MIX	F	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	AMERICAN STAFF	F	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	WELSH CORGI CAR	M	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	PARSON RUSS TER	N	11/08/2004	S LA	03/27/2014		Adopted Deceased Transfer Still have	
DOG	AMERICAN STAFF	M	01/01/1900	S LA	03/27/2014		Adopted Deceased Transfer Still have	

Adopted Dialog

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ANIMAL SERVICES

Please enter owner information for

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Owner Info	Owner Address	Animal Info
Last Name	House Number	Date Adopted
First Name	House Suffix i.e(1/2,3/4)	Has the animal been Spayed/Neutered
Middle Name	Street Direction	
Phone Number	Street Name	
Phone Extension	Street Type	
Email	Apt/Unit Number	
	City	
	State	
	CA	
	Zip Code	

Deceased certification

Deceased Animal - Mozilla Firefox

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LA Deceased Animal

https://anivet.lacity.org/nhportal/deceased.cfm?anim[redacted]

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Deceased For [redacted]

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Disclaimer
By Clicking continue, I
hereby certify that
[redacted] has died.

Continue Reset

Transfer Dialog

Owner Registration - Mozilla Firefox

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https://anivet.lacity.org/nhportal/transfer.cfm?anim[redacted]

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Transfer [redacted]

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Transfer Info
Date Transfer
Group transfer to:

Continue Reset

Still Have Dialog

Deceased Animal - Mozilla Firefox

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LA Deceased Animal

https://anivet.lacity.org/nhportal/stillhave.cfm?anim[redacted]

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Still Have For [redacted]

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Click Continue to let us know
that you still have
[redacted]

Continue Reset