



BOARD OF ANIMAL SERVICES COMMISSIONERS  
CITY OF LOS ANGELES



MINUTES

TUESDAY, JANUARY 26, 2016 at 10:00 AM

LOS ANGELES CITY HALL, ROOM 1060  
200 NORTH SPRING STREET  
LOS ANGELES, CALIFORNIA 90012

---

Audio MP-3 Recording is available at [www.laanimalservices.com](http://www.laanimalservices.com)

---

David Zaft, President  
Larry Gross, Vice-President  
Roger Wolfson  
Alana Yañez  
Vacant

Meeting called to order at 10:15 a.m. Commissioners present were Zaft, Gross and Yañez. Commissioner Wolfson was absent. Also present Board Secretary Rita Moreno, Los Angeles Animal Services (LAAS) Assistant General Manager (AGM) Dana Brown; General Manager (GM) Brenda Barnette; and Assistant City Attorney (ACA) Dov Lesel.

**Commissioner Zaft** opened the meeting and provided an overview of the meeting agenda. **Commissioner Gross** discussed the appeal hearing process and conducted the hearings.

**I. ADMINISTRATIVE APPEALS**

**1. Dangerous Animal Case: DA 154003 WL**

Respondent: Kristin Roberts

Complaining Witness: Rudy Flores and Cecilia Lupe

West Los Angeles Animal Care and Control: Captain Wendell Bowers

Testimony was taken from the Respondent's Attorney, Marla Tauscher, who stated that there was no evidence provided by an actual witness, no discussion of a previous history, and questioned prohibition to own dogs for three years. Testimony was also taken from Attorney Thomas H. Citron representing Complaining Witness, Rudy Flores, who stated that evidence was provided that the dog attack was unprovoked. Complaining Witnesses Rudy Flores and Cecilia Lupe were not in attendance. The Commissioners discussed the merits of the appeal, the evidence provided to the Hearing Examiner, and the grounds supporting the General Manager's determination.

**Commissioner Zaft** found that there was no evidence supporting the revocation under the statute; moved to reverse the General Manager's decision and adopt the Hearing Examiner's recommendation, including that the dog be permanently removed from the City and State, and impose the condition to require the Respondent/Appellant, Kristin Roberts, to undergo training with a dog aggression expert or trainer and provide proof to the Department. **Commissioner Yañez** offered a second with the friendly amendment to impose an additional condition that no dog will weigh more than 80 lbs., accepted by **Commissioner Zaft**. The vote was 2-1; the motion failed.

**Commissioner Gross** made a motion to uphold the General Manager's decision to revoke the license for the dog, **Moose** (L16-486465), and to prohibit the Respondent from owning, possessing, controlling or being in charge of any dog in the City of Los Angeles for a period of three years; urged the GM to consider reducing the prohibition time period if the Respondent undergoes proper training and a dog size restriction is imposed. The motion was seconded by **Commissioner Yañez** and the vote was 2 – 1;

without a majority vote, the General Manager's decision stands.

**2. Barking Dog Noise Case: BD 152047 WL**

Respondent: Eleonora Hemaya

Complaining Witness: Lorraine Serman and Justine Linforth

West Los Angeles Animal Care and Control: Captain Wendell Bowers

The Respondent, Eleonora Hemaya, was unable to attend the hearing and provided a written statement. Neither Complaining Witnesses, Lorraine Serman and Justine Linforth, were in attendance. The Commissioners discussed the merits of the appeal and the evidence provided to the Hearing Examiner.

**Commissioner Zaft** found that there is no evidence of a prior case and of the dog owner violating prior terms, conditions and restrictions; moved to reverse the General Manager's decision to revoke the dog license for **Coco** (L15-412598) and **Titty** (L15-412597), reversed the decision to prohibit the Respondent from owning, possessing, controlling or being in charge of any dog in the City of Los Angeles for a period of one year; and directed the General Manager to reissue the dog licenses with terms, conditions and restrictions that would reasonably prevent further violations of the anti-dog barking statute. The motion was seconded by **Commissioner Yañez** and was approved by a vote of 3 - 0.

**3. Dangerous Animal Case: DA 152068 SL**

Respondent: Javier Norberto Pech

Complaining Witness: Yolanda Evangelista, et al.

South Los Angeles Animal Care and Control: Lieutenant Yvette Smith

Testimony was taken from the Respondent, Javier Norberto Pech. None of the Complaining Witnesses were in attendance. Respondent Pech questioned the revocation of the licenses for his dogs and stated that the evidence did not support the General Manager's decision. The Commissioners discussed the merits of the appeal and the evidence provided to the Hearing Examiner.

**Commissioner Zaft** made a motion to affirm the General Manager's decision to revoke the dog licenses for **Butter** (L15-109179), **Mozart** (L15-469199) and **Zeus** (L16-477287); and to prohibit the Respondent from owning, possessing, controlling or being in charge of any dog in the City of Los Angeles for a period of three years. The motion was seconded by **Commissioner Yañez** and was approved by a vote of 3 - 0.

**II. REGULAR COMMISSION MEETING**

**1. PUBLIC COMMENT**

**Phyllis Daugherty:** Discussed incident involving a landlord and tenant with a problem pet. **Patty Shenker:** Requested strong ordinance banning exotic animals living in captivity and used for entertainment in the city. **Matt Rossell:** Animal Defenders International; stated that he has video taken over 8-week investigation of the vendor that rents out elephants using bull hooks to train them; recommended looking at legislation adopted by West Hollywood and San Francisco. **Julia Murray:** Urged a broad ordinance that will prevent the use of wild and exotic animals for entertainment; concerned for welfare of animals, and public and worker safety.

**2. COMMISSION BUSINESS**

Please join us at our website: [www.LAAnimalservices.com](http://www.LAAnimalservices.com)

**A. Approval of Minutes for January 12, 2016.**

Public Comments  
None

**Commissioner Gross** moved to approve the minutes for January 12, 2015 and **Commissioner Zaft** seconded. The motion passed 3 - 0.

**3. ORAL REPORT OF THE GENERAL MANAGER**

**GM Barnette** discussed the following:

- Building updates:
  - West L.A. facility – DFO Dedeaux met with GSD, BOE and King Wire regarding permanent awnings; waiting for bids
  - All facilities – landscape completed at Harbor, South L.A. and West L.A.; working on North Central, then moving on to East and West Valley
  - North Central facility – DFO Dedeaux met with GSD regarding water leaks and replacement of water control valves
- DFO Dedeaux meeting with BOS regarding department's use of potable water and Bureau's water recycling program
- January 20 strategic planning meeting of "Committee for the Future" and Consultant Francisca Baxa on the framework, who will bring in additional people to assist with community meetings
- Meeting with Ryan Carpio and Portraits of Hope on art project aimed at bringing young people and their families to the shelters to learn about animals and adoption (one of Commissioner Wolfson's projects)
- Contract for low-cost vaccine clinic and microchip contract has been approved; SNP LA has provided service schedule and circulated their availability to shelters
- Interviews conducted for five vacant Canvasser positions; Personnel will make offers to four
- Field Operations purchased a Newport 10-foot inflatable boat with a 2.5 horsepower four stroke outboard motor to be used by Specialized Mobile Animal Rescue Team for El Niño related rescues
- North Central Intervention Program assisted White Memorial Social Worker with Joseph Trotter's dog "Cookie," while he was in the hospital; Mr. Trotter who was homeless later died and Cookie was adopted
- Conference call with Tai Glenn (Inner City Law Center) and Lori Weiss (Downtown Dogs) regarding partnership to provide services for homeless pet owners including office space, trained volunteers/staff and free/low-cost spay/neuter, vaccines, etc.

Public Comment

**Phyllis Daugherty:** Asked for report on number of arrests, prosecutions and convictions, and statics for crimes that result in animals being in shelters.

**4. COMMISSIONERS' ORAL REPORTS AND FUTURE AGENDA ITEMS**

**Commissioner Zaft:** No report.

**Please join us at our website: [www.LAAnimalservices.com](http://www.LAAnimalservices.com)**

**Commissioner Yañez:** Discussed event with Kamala Harris during week of Democratic Convention at Pets for Life Center where free food and rabies will be provided; will have outreach event in April; will be presenting at regional animal care and control conference in Long Beach.

**Commissioner Gross:** Commended Councilmembers Paul Koretz and Mitch O'Farrell for introducing and seconding, respectively, a motion to direct LAAS and HCID to solicit input from Los Angeles stakeholders on expansion of animal adoptions by renters in residential properties; sign-off obtained from two major apartment associations and tenant organizations.

Public Comment  
None

## 5. Discussion Items

- A. Discussion on Status of Proposal for Pilot to Keep Shelter Open One Evening Per Week  
*(Item tabled until next meeting)*

## 6. Board Reports

- A. Staff Report re Request to Use AWTF for Redemptions Through Intervention Programs *(taken out of order after item 5.A.)*

**GM Barnette** provided an overview of the staff report.

**Commissioner Zaft** recommended that the language be drafted flexibly so that additional intervention programs may be covered and flexibility to include other animals. **Commissioner Gross** asked about a breakdown on the reasons. **GM Barnette** that report can include reason animal was impounded. **Commissioner Yañez** asked that the zip codes be included.

Public Comment

**Sara Harris:** Home Dog L.A. at North Central; animal redemption core program; 10% of total budget; works with families so they are not repeat offenders; Officers refer ACE cases. **Phyllis Daugherty:** Recommended not changing the fees or fines, let groups monitor who deserves assistance; landlords should be advised about situation.

**Commissioner Gross** moved to approve the request to use AWTF for redemptions and instruct the General Manager to transmit the MOU to the Mayor and City Council to request their approval. **Commissioner Yañez** seconded and the motion passed 3 - 0.

- B. Staff Report on Administrative Citation Program *(taken out of order after item II.4.)*

**DFO Mark Salazar** provided an overview of the staff report. **Deputy City Attorney (DCA) Rita Venegas** added that the sixth month of processing had been reached; 16% of those cited have been referred for collection; less than 10% have requested an initial review; 1% has requested a hearing (25 including LAPD).

**Please join us at our website:** [www.LAAnimalservices.com](http://www.LAAnimalservices.com)

**Commissioner Zaft** asked who conducts the initial review and hearings, and the roles of the vendor. **DCA Venegas** responded that she does the initial review; the hearings are conducted by Hearing Officers, who are all Judge Pro Tem from the Superior Court, and the vendor processes the citations and handles collections. **Commissioner Yañez** asked whether a breakdown of the type of violations will be provided. **DFO Mark Salazar** responded that he is not certain whether the system is set-up to do that yet. **DCA Venegas** responded that she can run a report by municipal violation through the vendor. **Officer Ramirez** added that there are two different programs tracking the citations; the vendor can run a report for every municipal code that has been cited and processed for a fine; department's database has same information, but can't run a report easily. **Commissioner Zaft** asked if the department's database is in Chameleon. **Officer Ramirez** responded that Chameleon and a separate database are used because not everything can be entered into Chameleon: warnings without a responsible party, if don't have a person's name, can't be entered into Chameleon. **Commissioner Zaft** asked how quickly a report can be provided to the Commission. **Officer Ramirez** responded a couple of weeks. **Commissioner Gross** added that the breakdown should include what was issued, what was complied with and what was referred; asked whether the \$114,750 in fines collected or outstanding represent the 16% being processed; asked whether the funds would be used to support a Clerk. **DFO Mark Salazar** responded that the full-time Clerk is supported by the program and that he is looking into getting additional part-time help; recognized Captain Karen Knipscheer for her work assisting the program and ASA Lesel for support and resources. **Commissioner Zaft** confirmed that ACE program does not replace other enforcement capabilities such as in cruelty situations. **DFO Mark Salazar** responded affirmatively and that particularly for court citations. **Commissioner Zaft** asked about the program's expansion to other departments. **DCA Venegas** responded that it was being expanded to LAFD and Recreation and Parks, and possibly Housing. **Commissioner Zaft** recognized DFO Salazar, ACA Lesel and Sr. MA John Forland for leading the effort on the program, and Phyllis Daugherty for prodding program all along.

#### Public Comment

**Phyllis Daugherty:** Stated that it has cost half a million to get \$800; funds supposed to pay for Officers; 30% compliance now, but 100% compliance when using the Notice to Comply; read statement from Sue Taylor - different types of citations are not listed because most for spay/neuter compliance and department not going after law breakers to collect revenue for the department; asked when breeders will be listed in tax permits; has been told by Officers that ACE is very cumbersome and time consuming, and not enforcing other issues like cruelty.

**Commissioner Zaft** stated that never heard that court system had 100% compliance; has heard from Officers that using the courts is time consuming especially for low level violations. **Mark Salazar** responded that 30% represents those cases that have been completed. **GM Barnette** added that it is a compliance based program; revenue will come from dog licenses. **Officer Ramirez** added that Notice to Comply has not teeth for compliance; Officers need to go to home numerous times to continue issuing notices – court needed for compliance.

#### C. Animal Welfare Trust and Animal Sterilization Fund Balances

**Please join us at our website: [www.LAAnimalservices.com](http://www.LAAnimalservices.com)**



**Commissioner Gross** asked about the spay/neuter contracts and redirecting funds. **GM Barnette** responded that a proposal will be coming in February on methods for low-income identification; working on new contracts with vendors. **AGM Brown** added that contract language is being changed to allow department to adjust contract amount if numbers are not met; need for retraining vendors on regular invoicing and meeting Controller requirements; new Lucy contract is not part of report; next reports will reflect changes. **Commissioner Gross** asked for clarification of two categories on the \$30 and \$70 coupons for animal sterilization fund and animal sterilization fund and pet adoption. **Sr MA II Forland** responded that there is a fee for sterilization with an adoption, it is not revenue and has to be tracked separately, it's a deposit – the individual can sterilize the animal on his/her own and get the money back. **Commissioner Zaft** asked whether the numbers listed under vendors are for surgeries provided to public. **Sr. MA II Forland** responded affirmatively. **Commissioner Gross** asked whether the spay/neuter cost is the same for all. **Sr. MA II Forland** responded affirmatively. **Commissioner Gross** asked whether the raw numbers can be provided. **AGM Brown** responded affirmatively; clarified that the amount includes pre-adoption pets, so not all public dogs; mobiles all public dogs, facilities include both. **Commissioner Zaft** clarified whether that includes dogs we can't sterilize. **AGM Brown** responded affirmatively; animals that are being adopted. **GM Barnette** responded that the Woofstat report is where you can find what they are doing for us. **Commissioner Zaft** stated that any services to the public by, for example, ASPCA are not shown. **Commissioner Gross** asked whether the sterilizations for shelter pets are included in the \$500. **GM Barnette** responded affirmatively, but that it is only about 5 or 10 per day. **Commissioner Zaft** clarified that it is only if we request it; reminded that ASPCA and Value Vet will be presenting on their clinics. **Commissioner Yañez** asked about the status of the voucher increase and time frame. **AGM Brown** responded that it is going through the City Council process and contract amendments, will bring it up at PAW agenda setting meeting.

#### **D. Woofstat Report Through December 2015**

**GM Barnette** noted there is a difference between ACE citations in report and information provided by the City Attorney – DFO Salazar is working with Dara to make the adjustment; stated that overall animal intake at all six shelters is down 9%; rabbits are down 32%; live release rate at 77.13%, goal was 75% - 86.3% for dogs, 64.99% for cats; licensing up for December; in-house vets catching up – down 5%; 5,360 euthanized; adoptions up 5%; 29 hearings in December; voucher distribution still low; volunteer hours are up; fosters are up.

**Commissioner Yañez** asked about the number of vouchers redeemed – 224 \$70 vouchers were issued and 206 were redeemed – whether due to ACE program. **GM Barnette** responded that Officers are carrying applications and assisting people. **Commissioner Gross** asked about volunteer numbers – decrease in number, but increase in all shelters except North Central and West L.A. **GM Barnette** responded that North doesn't have the number of volunteers as other shelters; West L.A. has a core group. **Commissioner Gross** stated need for Volunteer Coordinator at each shelter. **AGM Brown** responded that staff was volunteering to be "Volunteer Coordinator"; new MOU includes monetary compensation for staff that will encourage more participation. **Commissioner Zaft**

noted numbers for dogs and cats – 70% live save rate for cats at East Valley and North Central, 91% at West L.A., and 75% at West Valley – recognized staff and volunteers for bringing numbers up at all shelters; dog live save rate at West L.A. is 100% for the year; euthanasia numbers are down. **GM Barnette** recognized DFO Dedeaux for work with his staff for setting and meeting goals, and teamwork. **Commissioner Zaft** stated that South L.A. numbers need improvement - New Hope placements are down (24%) and Best Friends (14%) - department wide as well - we need to support their work, perhaps with AWTF; adoption and fosters are up; altered dog licenses are up by over ¼. **Commissioner Gross** recommended doing something to recognize achievements. **GM Barnette** noted that most New Hope partners are members of NKLA; working with Councilmembers Wesson and Harris-Dawson on strategies for South L.A.

Public Comment

**Sara Harris:** Pulls for Best Friends at North Central; a lot of potentially dangerous dogs that are hard to place; Tiffany Hamilton doing amazing job – coaching fosters.

## 7. ADJOURNMENT

**Commissioner Gross** made a motion to adjourn and **Commissioner Yañez** seconded. Motion passed 3 - 0.

Meeting ended at 12:41 p.m.