



Maria Espinoza <maria.espinoza@lacity.org>

Please place in file CF-11-0754 & CF 11-0754-S1 (CPRA's FOR 2 COUNCIL FILES)

1 message

ANIMALISSU@aol.com <ANIMALISSU@aol.com>
To: maria.espinoza@lacity.org

Mon, Jan 14, 2013 at 8:49 PM

Hi, Maria, please file the attached CPRA in BOTH Council File 11-0754 and Council File 11-0754-S1, which are now separate files..


This information requested was originally in CF 11-0754. However, with the addition/substitution of CF 11-0754-S1, much of what we want now pertains to that file.

We will be filing a letter of opposition as soon as we have gathered the information we need.

If you have any problem in downloading the attached two-page letter, just let me know at (213) 413-2367.

See you at the PAWS Committee,

Phyllis M. Daugherty

 **CPF329~1.DOC**
39K

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January 14, 2013

COUNCIL FILE 11-0754 and

COUNCIL FILE 11-0754-S1

Cert. No. 7010 0780 0000 3695 4969

Brian Currey, Counsel to Mayor
Office of Mayor Antonio Villaraigosa
City of Los Angeles
200 N. Spring Street
Los Angeles CA 90012

Mr. Jim Bickhart
Office of Mayor Antonio Villaraigosa
City of Los Angeles
200 N Spring Street
Los Angeles CA 90012

CALIFORNIA PUBLIC RECORDS ACT REQUEST-

COPIES OF E-MAILS AND OTHER RECORDS PRODUCED/RECEIVED BY JIM BICKHART OF THE OFFICE OF THE MAYOR, ON THE MATTER OF RECOMMENDATION #2 CONTAINED IN PERSONNEL AND ANIMAL WELFARE COMMITTEE REPORT TO THE CITY COUNCIL (File No. 11-0754) IN REGARD TO "REQUEST THAT THE CITY ATTORNEY WORK WITH THE DEPARTMENT OF ANIMAL SERVICES TO INCORPORATE ADDITIONAL RECOMMENDED CHANGES RELATIVE TO THE DEFINITION OF KENNELS AT THE BEGINNING OF SECTION 53 OF THE LAMC" (MEETING HELD ON OCTOBER 2, 2013.)

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I formally ask for a copy of the following, which I understand to be held by your agency:

(1) Any and all records regarding the subject issue, from January 2011 and inclusive of the date of response to this request, which are from, sent to, transmitted by, or prepared by or on behalf of Antonio Villaraigosa or Jim Bickhart of the Office of Mayor in regard to Mr. Bickhart's involvement with, preparation for, and appearance at this meeting, as described in the Committee report, as follows:

"During the discussion of this item, a representative from the Mayor's office [Jim Bickhart] encouraged the Committee to request that the City Attorney add language to the draft ordinance to resolve a problem that has very recently arisen relative to the citation of pet shops that would be operating on the model that the ordinance creates, due to permitting difficulties currently associated with obtaining kennel permits in commercial zones. Under the current codes, even though a pet shop can be in a commercial district, those shops that feature adult animals, which are the ones that are most likely to die in a shelter, would also be required to obtain a kennel permit; and a kennel permit cannot be obtained without going through the cumbersome conditional use permitting process. This requirement has the potential for force pet shops out of retail districts where they would have the best chance at being successful.

"It was suggested [by Jim Bickhart] that the simplest way to resolve this is by altering the definition of kennel at the beginning of Section 53 of the LAMC, so that its description of the uses of a kennel are compatible and comparable to those contained in Section 12.17.5 B 4 (o) of the LAMC, where the need for a conditional use permit for kennels outside the industrial zones is spelled out. By doing this, the new business model for pet shops that calls for them to get their animals, including adult dogs, from shelters and rescues would be more feasible. At the same time, it would not be any easier for boarding kennels to locate outside of industrial use areas. Without such a change, the Department of Building and Safety is more than likely going to continue requiring pet shops to also obtain kennel permits."

(2) Any and all records regarding solicitation, inquiries, responses, transmitted by any means from or to Mayor Antonio Villaraigosa or any representative of the Mayor's office from/to the General Manager or any staff member of Los Angeles Animal Services or any other City agency (including the Planning Department or Department of Public Works) or private organization/entity/individual, City Attorney or any other legal counsel, department management, staff or other employee or representative, and/OR any member of the public, donor, or organization in regard to this issue.

(3) Any and all records, e-mail and/or other communication regarding appearing/lobbying/speaking regarding the above matter of changing Section 53, as indicated by Mr. Bickhart, to/from any LA Animal Services Commissioner or at any Commission meeting, any other Council Committee meeting/hearing, and in any meeting with members of or appearing at/before the Los Angeles City Council for the purpose of lobbying, testifying and/or otherwise changing LAMC Sec. 53,

(4) Any and all records from January 2011 and inclusive of the date of response to this request from any City agency or outside entity, including Found Animals Foundation, Aimee Gilbraith, and/or any of its representatives, which are in the possession of the Mayor's office, from, sent to, transmitted by, or prepared by or on behalf of Antonio Villaraigosa or Jim Bickhart of the Office of Mayor in regard to requests/problems/permitting of any pet shop by Found Animals Foundation (by that or any other name) within the City of Los

Angeles and any communication in regard to changing the zoning or other regulation of property to allow such pet shop(s) owned/operated by Found Animals or any of their affiliates/subsidiaries by any other name. (Aimee Gilbraith appeared with and appeared to have her position represented by Mr. Bickhart at the above PAWS Committee meeting.)

5) This request includes also any e-mail/correspondence/communication to or from any outside party (including any mentioned above) and any City agency—whether previous mentioned or not—in regard to request/initiation/generation/opening of **Council File 11-0754-S1** on 11/20/12, or any prior documents in that regard, and any documents and records to/from LA Animal Services GM Brenda Barnette or any member of her staff or the Commission; any documents, correspondence, e-mail or other communication from/to any non-profit or private/public organization, including Aimee Gilbraith any representative of the Found Animals Foundation (or under any other name used by this organization or affiliated pet shops or other entities); AND any communication with the City Clerk's office, City Attorney, Planning Department, Department of Public Works, and with any Council Office or staff, or any other agency to/from OR IN THE POSSESSION OF the Mayor's Office or Jim Bickhart in regard to this file which states it was, "**Initiated by MAYOR.**"

This request for records encompasses but is not limited to e-mail correspondence and attachments, invitations to and records of meetings in regard to the request for, discussion of, or receipt of money (donated or otherwise), City Attorney's opinion, or any other communication regarding the changing, or consideration of changing, LAMC Sec. 53 and the current status of this effort as of the date of response to this CPRA. It also includes all documents in possession of the Mayor's office as the result of research in regard to the above, regardless of the source.

I ask for a determination on this request within TEN (10) days of your receipt of it, and an even prompter reply if you can make that determination without having to review the record[s] in question.

If you deem that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. **In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed. Please provide a signed notification citing the legal authorities on which you rely (separately identified authority for each document/e-mail/correspondence.)**

If I can provide any clarification that will help expedite your attention to my request, please contact me at (213) 413-2367. I am sending a copy of this letter to the Mayor's legal advisor to help encourage a speedy determination, and I would likewise be happy to discuss my request with him at any time.

Thank you for your prompt attention to this matter.

PHYLLIS M. DAUGHERTY