

1/6

CF 11-1345

May 14, 2014

6 total pages VIA CITY CLERK (and via email)

Ron Galperin
Los Angeles City Controller
200 N. Spring Street
Los Angeles, CA 90012

RECEIVED
CITY CLERK'S OFFICE
2014 MAY 14 PM 2:43
BY _____
CITY CLERK
DEPUTY

Re: Fraudulent Representation of Thousands of Shelter "Adoptions"

Dear Ron,

More than 5,000 animals that were transferred from cages in city shelters to cages in the city shelter run by Best Friends were fraudulently represented in city statistics as "adoptions" by LA Animal Services (LAAS) GM Brenda Barnette.

Substantiating this is an attached 4/22/14 email from David Zaft, LA Animal Services Commission president, to me, in which he also agrees that an explanation for this misleading public claim should be made.

Because the city is currently considering renewing its agreement with Best Friends to run the city's \$19 million "Mission" shelter, your office should investigate this false claim along with these additional troubling issues pertaining to the city's relationship with Best Friends:

1. **Generation of False Impound Numbers**

Attached is a July 2013 email from Nicole Swartzlander of Best Friends to a supervisor at LAAS in which she requests lists of impound numbers for neonatal kittens who Best Friends took into the Mission shelter – *in violation of the city's agreement with Best Friends*. The second page of this document is from the Chameleon inventory system page pertaining to the kitten that was given one of those falsely generated impound numbers. On this page, you will see no evidence of a photo, intake information, veterinary information, microchip information, and outgoing status. I have confirmed via multiple independent internal sources that there is a similar lack of information for each of the impound numbers handwritten at Ms. Swartzlander's request.

2. **1 in 1200 RFP Response Rate**

When the city gave Best Friends its taxpayer-funded \$19 million Mission shelter, Brenda Barnette, LAAS GM, represented to City Council that she issued more than 1200 RFPs

for the facility, but received only one proposal – *from Best Friends*. Despite pleas from other humane organizations in attendance that day indicating that none of them received the city’s RFP, the city nonetheless gave Best Friends this valuable city asset. As a former senior proposal writer for KPMG and Arthur Andersen, I can tell you that a 1 in 1200 RFP response rate is troubling to say the least.

3. Undisclosed Employment of Family Member / Financial Conflict of Interest

Until I made the issue public, Ms. Barnette failed to publicly disclose to city officials that her daughter, Mary Alice Davis, is employed by Best Friends.

4. Attempts to Change Inventory System to Accommodate Vendor, rather than City.

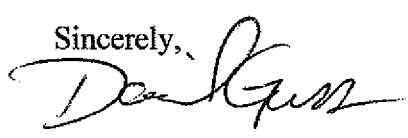
Ms. Barnette has made numerous attempts to switch – *without external review as recommended by previous Commissioners* - the city’s animal inventory software system from Chameleon to Pet Pointe, the one used by Best Friends.

On a related note, I am troubled by information of which I am now in possession indicating that the city is transporting a massive number of animals to other jurisdictions in violation of the California Agriculture code relating to their spay/neuter status and other documentation, including the failure to obtain thousands of D300 forms from one particular local humane organization.

My investigations would go a lot deeper...if the city would stop failing to comply with CPRA requests. I hope that you will agree that *less transparency* on these issues is not a good thing.

I am asking for you to take a very close look at these troubling transactions and fraudulent “adoption” representations to the public. In January 2014, when I met with a representative of your office, I was referred to discuss them with Cheri Shenkar, a non-city official who was involved in a \$4 million real estate transaction with you and who contributed to your Controller campaign. Ms. Shenkar responded by sending me an unsolicited link to a job application, which I declined to submit. I will send you a copy of that email upon your request.

I welcome another opportunity to sit down with your office on these matters.

Sincerely,


Daniel Guss
818-231-1108
Daniel.Guss@gmail.com
P.O. Box 5921

3/6

Sherman Oaks, CA 91413

Cc: Mayor Eric Garcetti

Mike Feuer

Los Angeles City Council

Los Angeles Animal Services Commission

PAWS Committee (in person on 5/14/14)

Media

A/6
Daniel Guss <danielguss@gmail.com>

DAVID: quick question

David Zaft <zaft@caldwell-leslie.com>
To: Daniel Guss <danielguss@gmail.com>

Tue, Apr 22, 2014 at 1:29 PM

Assuming that the reports on the website are changed to separately show the Best Friends transfers (and I agree with you that they should be, but this is a decision to be made by the Commission), I believe it would be appropriate for some explanation of the change to be given.

From: Daniel Guss [mailto:danielguss@gmail.com]
Sent: Tuesday, April 22, 2014 1:24 PM
To: David Zaft
Subject: Re: DAVID: quick question

Sue Mattson is not an auditor, nor does she have the Controller's access. Maybe I can bottom line the question: if past stats and claims of humane success are going to be restated, revised, etc., what good reason is there for not making the public aware that things are going to be done differently now than they were before...and why the changes are being made? Why make them quietly?

Keep in mind that none of this is happening because of good government; it's being done because I'm one of a few people who started speaking up about the veracity or flaws in the past claims.

On Tue, Apr 22, 2014 at 1:16 PM, David Zaft <zaft@caldwell-leslie.com> wrote:

I think Sue Mattson recently did some sort of review or audit of the Department's statistics. I will try to find out if there was a report that went along with that. I think her overall conclusion was that the numbers were pretty accurate. I think we can discuss this further at a meeting when we consider reporting and data. I think this will be on the agenda soon (May or June).

From: Daniel Guss [mailto:danielguss@gmail.com]
Sent: Tuesday, April 22, 2014 1:09 PM

To: David Zaft
Subject: Re: DAVID: quick question

here is the second list that you said your employee's will work on. Whenever you can get the first list over that would be wonderful as well as this new list. Thanks for your help.

5/6

7/10/2013	Brown and White Tabby- DSH	2 weeks	F - A1412368
	Brown and White Tabby- DSH	2 weeks	M - A1412371
	Black- DMH	2 weeks	M - A1412372
7/10/2013	Grey and White- DLH	4 weeks	M - A1412373
	Grey and White- DLH	4 weeks	F - A1412375
	Grey Tabby- DMH	4 weeks	F - A1412379
	White -DMH	4 weeks	F - A1412380
7/10/2013	Cream Lynx Point- DSH	7 weeks	F - A1412384
7/10/2013	Brown Tabby- DSH	2 days	M - A1412390
7/12/2013	Brown and White Tabby- DSH	7 weeks	M - A1412392
7/12/2013	White with Brown- DSH	7 weeks	F - A1412394
7/12/2013	Grey- DMH	10 days	M - A1412396
	Grey- DMH	10 days	M - A1412398
	Grey- DMH	10 days	F - A1412399
	Grey- DMH	10 days	F - A1412402
7/14/2013	Black Tabby- DSH	2.5 weeks	F - A1412403
	Brown Tabby- DSH	2.5 weeks	F - A1412406
7/16/2013	Dilute Tortie	3 weeks	F - A1412407
7/19/2013	Black- DSH	4 weeks	M - A1412408
7/22/2013	Buff Tabby- DSH	3 days	F - A1412410
	Buff Tabby- DSH	3 days	M - A1412411

Best Wishes,

Nicole Swartzlander

Neonate Program Coordinator
No-Kill LA

Best Friends Animal Society
15321 Brand Blvd. Mission Hills, CA 91345
Phone: (818)643-3831

**City of Los Angeles Department of Animal Services
Kennel Impound Card for EAST VALLEY**

6/6

Due Out Date: 07/14/2013

Record No: K13-036200
 Animal ID: A1412379 Kennel No: E
 Sex: FEMALE
 DOB: 06/30/2013
 Breed: DOMESTIC MH
 Color: GRAY TABBY
 Intake Date: 07/10/2013
 Intake Type: STRAY OTC
 Hold? NO



Vaccinations

- DHLPP
- RABIES FR- Green
- FVCRP IP - Red
- Bordetella [IN / SQ] RX - Blue
- Deworming
- Intake Exam
- Weight _____ lbs (by _____) BH - Yellow

MISSING INFO

Behavior Observations

Observation Date: _____

Employee ID #: _____

- | | | | | |
|-----------------------|-----|-----|-----|-----|
| Hissing: | [] | [] | [] | [] |
| Growling: | [] | [] | [] | [] |
| Spitting: | [] | [] | [] | [] |
| Pupils Dilated: | [] | [] | [] | [] |
| Ears Flattened: | [] | [] | [] | [] |
| Charges: | [] | [] | [] | [] |
| Hides: | [] | [] | [] | [] |
| Walks on leash: | [] | [] | [] | [] |
| Doesn't walk on leash | [] | [] | [] | [] |
| Outgoing: | [] | [] | [] | [] |
| Food Fights: | [] | [] | [] | [] |
| Sensitive to touch: | [] | [] | [] | [] |
| Timid/Shy: | [] | [] | [] | [] |
| Snaps: | [] | [] | [] | [] |
| Bites: | [] | [] | [] | [] |

My Name is _____

- Supervisor Approval Required
- Rescue Only
- Supervisor Hold - See Memo

Scan by ID#: _____ Picture by ID#: _____



WHERE IS HER STATUS AN VET INFO?

I _____ agree and understand that the animal(s) in my care are only temporary foster(s) and agree to return them to the Department of Animal Services upon demand or on the date herein specified.

To Be

Date Fostered: ___/___/___ Returned Date: ___/___/___

Signature ID#: _____

Animal Care Center Phone # _____

Date Returned: ___/___/___ Rec By ID#: _____

Returned By: _____

ID#: _____

Signature: _____