

ANIMAL ISSUES MOVEMENT

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May 21, 2017

Councilmember Paul Koretz, Chair
Councilmember Marqueece Harris-Dawson
Councilmember David Ryu
Personnel and Animal Welfare Committee
200 North Spring Street
Los Angeles, CA 90012

City Attorney Mike Feuer
Mayor Eric Garcetti
A/CAO Richard Llewellyn
Council President Herb Wesson
All City Councilmembers

Honorable Los Angeles City Officials:

CF 17-0413 OPPOSITION TO CHANGES TO ANIMAL STERILIZATION FUND --
Citywide Cat Program / Environmental Impact Report (EIR)

Animal Issues Movement, a 501(c)3 CA corporation, hereby files its formal opposition to CF 17-0413, which seeks to create a policy of citywide release of feral (wild) cats within residential and commercial areas. This includes by reference our prior opposition in **CF 12-1508**, **CF 13-1513** and **CF 10-0982**, which were summarized in our letter dated April 18, 2017.

At the April 19, 2017, meeting of the Personnel and Animal Welfare Committee (Item 4) the Deputy City Attorney stated that the proposed Citywide Cat Program (TNR) would include a change to L.A. Administrative Code Sec. 5.199 to allow the Animal Sterilization Fund to be used for feral cats.

I am attaching one of the early ordinances, Ordinance No. 170429, which designates the Animal Sterilization Fund is to be used for "pet sterilization services" and amends it to include pets adopted from City shelters. Subsections (c) and (f) clearly describe that any gift, contribution or bequest accepted by the City Council or the General Manager of the Department of Animal Regulation (now Animal Services) shall be used for the purpose of providing pet sterilization services ONLY. This does not include unowned feral/wild cats.

Our counsel has opined that any redirection of funds which have been donated specifically for "pet sterilization" would be a violation of the public trust and a misappropriation of funds.

Former L.A. Animal Services General Manager Ed Boks attempted this same misuse of the Trust money and exhausted the fund so that there was nothing left for the intended pets of low-income families and other city residents. Also, veterinarians and rescuers were using more than one voucher per feral/wild cat and there was no way to match paperwork for these unowned, free-roaming, unsocialized animals..

An additional reason this Trust Fund cannot be used for feral cats is because expenditures for such sterilization (spay/neuter) services cannot be accurately audited by the Controller since there is no owner to confirm and show proof that charges billed to the City by a veterinarian were actually used to spay/neuter a pet.

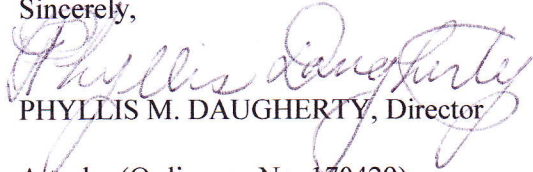
This is especially important since LAAS GM Brenda Barnette has failed to spend over \$4 million dollars of donated money to spay City pets--possibly in anticipation of using it for feral cats.

May 21, 2017

As indicated before, any attempt to change or misuse these funds will be vigorously opposed and donors and/or their attorneys will be identified through public records and informed of the City's action.

We hope to hear that money for the subject Cat Program/TNR spay/neuter program, if passed, will be found elsewhere.

Sincerely,



PHYLLIS M. DAUGHERTY, Director

Attach. (Ordinance No. 170429)

ORDINANCE NO. 170429

An Ordinance amending subsections (b), (c) and (f) of Section 5.199 of the Los Angeles Administrative Code, to allow monies from the Animal Sterilization Fund No. 842 to be used for sterilizations of dogs and cats adopted by non-City residents.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO ORDAIN AS FOLLOWS:

Section 1. Subsections (b), (c) and (f) of Section 5.199 of the Los Angeles Administrative Code are hereby amended to read:

(b) The fund shall be used to provide pet sterilization services to residents of the City of Los Angeles, and for dogs and cats adopted from city animal shelters by other persons, subject to any special terms or conditions of individual gifts, contributions or bequests to the fund.

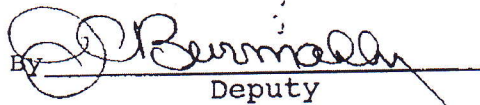
(c) Any gift, contribution or bequest accepted by the City Council or the General Manager of the Department of Animal Regulation for the purpose of providing pet sterilization services shall be placed in the fund.

(f) The fund shall be administered and expenditures shall be authorized by the General Manager of the Department of Animal Regulation in accordance with established City practices. Expenditures of funds shall be made for the purpose of providing pet sterilization services and for purposes as stated in subsection (h) of this Section.

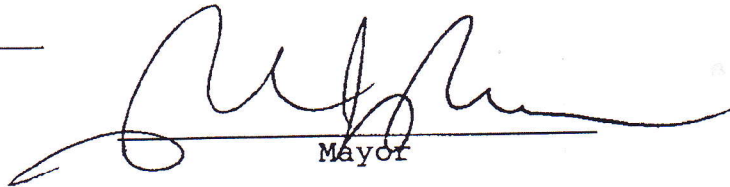
Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles at its meeting of MAR 15 1995.

ELIAS MARTINEZ, City Clerk

By  Deputy


Approved MAR 22 1995


Mayor

Approved as to Form and Legality

February 27, 1995

JAMES K. HAHN, City Attorney

By 
Valentin Dinu
Deputy City Attorney

File No. 94-1402
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