

RESPONSE TO GRAND JURY REPORT FORM

Report Title: "Tails of Marin" Marin County Animal Control Services and the Marin Humane Society?

Report Date: April 7, 2008

Response By: City Council of the City of San Rafael.

FINDINGS:

- We agree with the finding numbered F1, F2, F3, F5, F6, F7, and F8
- We disagree wholly or partially with the findings numbered F4, F9
(See attached statement specifying the portions of the findings that are disputed, including an explanation of the reasons therefore) **See Attachment "A"**

RECOMMENDATIONS:

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered R2, R5 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.) **See Attachment "A"**
- Recommendation numbered _____ requires further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
See Attachment "A"
- Recommendation numbered R4 will not be implemented because it is not warranted or is not reasonable.
(Attach an explanation.) **See Attachment "A"**

Date: 6/16/08 Signed: Al Boro
Al Boro, Mayor,

ATTACHMENT "A"

**RESPONSE OF THE CITY OF SAN RAFAEL TO
GRAND JURY REPORT RE "TAILS OF MARIN"
MARIN COUNTY ANIMAL CONTROL SERVICES
AND THE MARIN HUMANE SOCIETY**

FINDINGS:

- F4.** The Marin Humane Society subsidizes 10 percent or more of animal control services costs with its own charitable funds.

Response:

Without the benefit of a full financial audit of MHS, the City has insufficient information to confirm this finding. It is the City's understanding that there are overlapping administrative costs for JPA-contracted Animal Control services and Marin Humane Society services that are difficult to separate. MHS identified these administrative areas in their financial reports to the JPA, however no audits were undertaken by the JPA to verify the numbers.

- F9.** Pet-owner compliance with leash laws, noise ordinances, and waste pickup is dismal. The need continues for improved enforcement of local animal control ordinances

Response:

The City has insufficient data regarding owner compliance to confirm this finding.

RECOMMENDATIONS:

- R2.** The county, Marin's municipalities and MHS work to update their websites and public outreach materials to explain their cost sharing agreement and the relationships established by the Joint Powers Agreement.

Response:

The City will update its website in Fiscal Year 2008-09 with information reflecting the nature of the JPA and its role in contracting for countywide animal control services.

- R4.** The county and Marin's other cities adopt measures similar to Novato's progressive ordinances to control their unwanted cat population through mandatory micro-chipping and spaying and neutering.

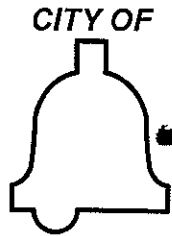
Response:

The City is not able to consider an ordinance to control cats, as any additional animal control services will require additional City General Fund revenues. The City's strained budgetary condition cannot absorb these additional costs.

- R5.** The county, city and MHS staffs take appropriate steps to improve pet-owner compliance with all animal control, annual licensing and animal protection ordinances. These steps could include, but are not limited to: (1) holding public workshops; and (2) conducting intensive public education efforts.

Response:

The City has and will continue to work with MHS staff to facilitate their involvement in our public events and other outreach for educational purposes. For example, the City can display MHS brochures and add information on our website about licensing animals and MHS contact information. In addition, the City presently publishes educational materials through its Electronic Newsletter, Snapshot, and has, and can continue to include information about animal control in this newsletter on occasion. City staff will not, however, be holding public workshops or conducting intensive education efforts, as there are insufficient staffing resources to undertake such activities.



San Rafael

Mayor
Albert J. Boro

Council Members
Greg Brockbank
Damon Connolly
Barbara Heller
Cyr N. Miller

June 17, 2008

The Honorable Verna Adams
Marin County Superior Court
PO Box 4988
San Rafael CA 94913-4988

Dear Judge Adams:

Enclosed please find the City of San Rafael's response to the 2007-2008 Marin County Grand Jury's reports titled "Tails of Marin" Marin County Animal Control Services & The Marin Humane Society. This item was reviewed and considered by the San Rafael City Council at their June 16, 2008 Regular Meeting.

Please extend the City's appreciation to the 2007-2008 Grand Jurors for the important work they do on behalf of all of the citizens of the County of Marin.

Sincerely,

Nancy Mackle
Deputy City Manager

Enclosure

cc: Roberta Robinson, Foreperson, Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael CA 94903

RESOLUTION NO. 12521

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CITY OF SAN RAFAEL RESPONSE TO THE 2007-2008 MARIN COUNTY GRAND JURY REPORT ENTITLED "TAILS OF MARIN: MARIN COUNTY ANIMAL CONTROL SERVICES AND THE MARIN HUMANE SOCIETY"

WHEREAS, pursuant to Penal Code section 933, a public agency which receives a Grand Jury Report addressing aspects of the public agency's operations, must comment on the Report's findings and recommendations contained in the Report in writing within ninety (90) days to the Presiding Judge of the Superior Court with a copy to the Foreperson of the Grand Jury; and

WHEREAS, Penal Code section 933 specifically requires that the "governing body" of the public agency provide said response and, in order to lawfully comply, the governing body must consider and adopt the response at a noticed meeting pursuant to the Brown Act; and

WHEREAS, the City Council of the City of San Rafael has received and reviewed the 2007-2008 Marin County Grand Jury Report, dated April 7, 2008, entitled "Tails of Marin: Marin County Animal Control Services and the Marin Humane Society" and has agendized it at this meeting to consider and approve a response;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Rafael hereby:

1. Approves and authorizes the Mayor to execute, the City of San Rafael's response to the 2007-2008 Marin County Grand Jury Report entitled "Tails of Marin: Marin County Animal Control Services and the Marin Humane Society" copy attached hereto.
2. Directs the City Clerk to forward the City's Grand Jury Report response to the Presiding Judge of the Marin County Superior Court and to the Foreperson of the Marin County Grand Jury.

I, Esther C. Beirne, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a special meeting of the San Rafael City Council held on the 16th day of June, 2008, by the following vote to wit:

AYES: Councilmembers Brockbank, Connolly, Heller, Miller & Mayor Boro

NOES: Councilmembers: None

ABSENT: Councilmembers: None


ESTHER C. BEIRNE, City Clerk

COPY