

ADMINISTRATION BUILDING  
3501 CIVIC CENTER DR., SUITE 329  
SAN RAFAEL, CALIFORNIA 94903-4193  
TELEPHONE (415) 499-7331  
FAX (415) 499-3645  
TTY (415) 499-6172

<http://www.co.marin.ca.us/>

---

# THE BOARD OF SUPERVISORS OF MARIN COUNTY

June 17, 2008

Honorable Verna Adams  
Presiding Judge  
Marin County Superior Court  
3501 Civic Center Drive  
San Rafael, CA 94903

Dear Judge Adams:

Forwarded herewith is the Marin County Board of Supervisors' response (incorporating those for the County Administrator) to the 2007-2008 Civil Grand Jury Report, "Tails of Marin: Marin County Animal Control Services and the Marin Humane Society." The Board of Supervisors' response addresses all Findings and Recommendations for which a response was requested from the Board of Supervisors.

Respectfully submitted,



Charles McGlashan  
President, Board of Supervisors

cc: Civil Grand Jury

---

PRESIDENT CHARLES MCGLASHAN MILL VALLEY 3 <sup>RD</sup> DISTRICT	VICE-PRESIDENT HAROLD C. BROWN, JR. SAN ANSELMO 2 <sup>ND</sup> DISTRICT	2 <sup>ND</sup> VICE-PRESIDENT JUDY ARNOLD NOVATO 5 <sup>TH</sup> DISTRICT	SUSAN L. ADAMS SAN RAFAEL 1 <sup>ST</sup> DISTRICT	STEVE KINSEY SAN GERONIMO 4 <sup>TH</sup> DISTRICT	CLERK MATTHEW H. HYMEL
---	---	---	--	--	---------------------------

---

## 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:** Marin County Board of Supervisors

### FINDINGS

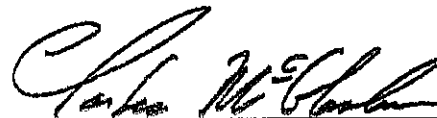
- We agree with the findings numbered: 1, 2, 3, 5, 6, 7, 8
- We disagree wholly or partially with the findings numbered: 4, 9

### RECOMMENDATIONS

- Recommendation Number 1 has been implemented.
- Recommendations Numbered 2 and part of 3 have not yet been implemented, but will be implemented in the future.
- Recommendations Numbered 4 and 5 require further analysis.

Date: June 17, 2008

Signed: \_\_\_\_\_



Number of pages attached 4

**Marin County Board of Supervisors**  
Response to Findings and Recommendations from Grand Jury Report  
"Tails of Marin: Marin County Animal Control Services & the Marin Humane  
Society," April 7, 2008

**FINDINGS**

- F1. The nonprofit Marin Humane Society is nationally respected and honored. It has served Marin's citizens and animals well over the past 100 years.**

Response: Agree.

- F2. The Marin County Board of Supervisors and Marin's city councils have supported the Marin Humane Society and its mission for many years, and historically contracted with the Marin Humane Society as the county's sole animal service agency. The current MHS contract expires on June 30, 2008.**

Response: Agree.

- F3. The Joint Powers Agreement between Marin County, Marin's cities and MHS promotes uniform ordinances, equitable enforcement and cost-effective delivery of animal control services throughout Marin's jurisdiction.**

Response: Agree.

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

Response: Disagree.

The 10 percent of the costs of MHS Animal Control Services not covered by the JPA allocation supports services that are not required by the JPA or mandated by the state. This arrangement allows MHS to provide its services – including those that are not part of the JPA contract – more flexibly and effectively. Additionally, there are overlapping administrative costs for JPA-contracted Animal Control services and Marin Humane Society services that are difficult to separate in the provisioning of contracted services.

**F5. MHS collects fees for dog-licensing, impound, boarding, permit, quarantine, veterinary and disposal services. These funds are remitted to the county. County and city taxpayers fund the balance of animal control services costs.**

Response: Agree.

**F6. MHS's dual role as both a private nonprofit organization and as a contractor to the county for animal control services is not widely understood and is not clearly explained to the public.**

Response: Agree.

**F7. Two performance goals set forth in the Joint Powers Agreement are not being met: (1) licensing of all dogs in Marin County is targeted at 75 percent, while MHS estimates compliance at 25-33 percent; and (2) license and other fees were to be set at a level to fund 20 percent or more of animal control services costs, while actual fee revenues account for only 10 percent.**

Response: Agree.

The original 1979 Joint Powers Agreement set a dog-licensing target of 75 percent, a goal that reflected public health concerns about rabies rates which, at the time, were much higher. At the inception of the JPA, stray dogs were a common sight in the county. So serious was the public health concern that paid canvassers visited Marin households checking for unlicensed dogs. Even this initiative did not meet the 75 percent goal.

Over the 29 years since the JPA's inception, the JPA and MHS have successfully eliminated rabies threat, through vaccination efforts, education, and other measures. This has changed the goal and function of dog licensing. Licensing now allows dogs to be more easily reunited with their owners and facilitates the enforcement of animal control ordinances. As a consequence of these changes, the most common national range for licensed dogs is 10-20 percent. As noted, Marin County's rate stands at 25-33 percent. The 75-percent dog-licensing compliance rate should be reevaluated in the context of these changes.

The fee issue is addressed in our responses to the recommendations.

**F8. Novato has been a strong advocate for control of its cat population by mandatory micro-chipping and spaying or neutering.**

Response: Agree.

**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: Disagree.

The information upon which this finding is based is incomplete. While Animal Control Services does provide countywide patrols and enforcement of the animal control ordinance, it does not act alone. Each of the JPA members' twelve law enforcement agencies also enforces the animal control ordinance. Therefore, enforcement statistics provided solely by Animal Control Services reflect only one-thirteenth of the story. Statistics from all eleven police departments and the County Sheriff's Department would be needed to provide an objective assessment of the rates of ordinance compliance.

Leash laws are enforced through the combined efforts of Animal Control Services and sheriff/police departments; noise ordinances are solely enforced by sheriff/police departments. Local dog waste disposal requirements are enforced by local police departments or Animal Control Services; however, this enforcement occurs only in the seven of the eleven JPA member cities and towns that have local requirements for the disposal of dog waste. Four cities and towns have no such local requirement, and the current county animal control ordinance has no such requirement. Therefore, the rate of compliance for each of these laws varies by jurisdiction and by enforcement entity.

## **RECOMMENDATIONS**

**The 2007-2008 Marin County Civil Grand Jury recommends that the County take the following action:**

- R1. The county renews the animal control services contract with the Marin Humane society prior to its expiration date of June 30, 2008.**

Response: Agree and has been implemented.

The new three-year contract with the Marin Humane Society was adopted by the Board of Supervisors on May 13, 2008.

- 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: Agree and will be implemented in the future.

The County, as a member of the JPA, will update its website in Fiscal Year 2009 with information reflecting the nature of the JPA and its role in contracting for countywide animal control services. The County will encourage its JPA and MHS partners to do the same.

**R3. The Marin County Board of Supervisors take appropriate steps to improve dog-licensing compliance to at least the 75 percent compliance goal and increase annual animal license and other fees to assist in achieving self-funding 20 percent or more of animal control services costs.**

Response: Disagree.

The 75-percent compliance goal for dog licensing needs to be amended to take into account changes in the nature of licensing and the threats posed by unlicensed dogs. When the next opportunity to amend the JPA occurs, this oversight should be corrected to reflect a more appropriate goal.

The JPA does maintain a goal of offsetting to the fullest extent possible the costs of Animal Control Services. Two of the initiatives associated with the new contract with MHS include a study of potential fee increases, as well as improved JPA and MHS efforts to promote dog licensing.

**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: Partially disagree.

We believe that it should be left to individual JPA member jurisdictions to address this issue. Jurisdictions around the State, including the JPA, are evaluating the effectiveness of efforts to control their unwanted cat populations.

**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: Partially disagree.

The JPA and MHS will consider broader public education efforts as part of the achievement of its overall mission as well as to improve compliance with

pertinent ordinances. As explained in the response to Finding 9, the information upon which this finding and recommendation are based is incomplete.