

RESPONSE TO GRAND JURY REPORT FORM

Report Title: "Tails of Marin"

Marin County Animal Control Services & The Marin Humane Society

Report Date: April 7, 2008

Response by: Mill Valley City Council

By: Anne Montgomery, City Manager

**FINDINGS**

- I (we) agree with the findings numbered: F1-F3 and F5-F9
- I (we) disagree wholly or partially with the findings numbered: F4  
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefore.)

**RECOMMENDATIONS**

- Recommendations numbered R2 have been implemented. See attached.
- Recommendations numbered R5 have not yet been implemented, but will be implemented in the future. See attached.
- Recommendations numbered R4 require further analysis. See attached.
- Recommendations numbered n/a will not be implemented because they are not warranted or are not reasonable. See attached.

Date: 6/18/08 Signed: Anne Montgomery

Number of pages attached: 2

## 2007-2008 Marin County Civil Grand Jury

### Marin County Animal Control Services and The Marin Humane Society

#### 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:** We agree with the finding.

**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:** We agree with the finding.

**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 jurisdictions.

**Response:** We agree with the finding.

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

**Response:** We disagree with the finding.

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 not part of the JPA contract – more flexibly and effectively. Additionally, there are overlapping administrative costs for JPA contracted Animal Control services and MHS 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:** We agree with the finding.

**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:** We agree with the finding.

**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:** We agree with the finding.

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

**Response:** We agree with the finding.

**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:** We agree with the finding.

## **RECOMMENDATIONS**

The Grand Jury recommends that:

**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:** This Recommendation has been implemented. The City of Mill Valley website was updated on May 19, 2008 to provide this information.

**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 or neutering.

**Response:** This Recommendation will require further analysis. Within the next 6 months, the City will evaluate the effectiveness of the efforts of jurisdictions who have such ordinances in place and also conduct an analysis as to whether the City has an unwanted cat population and thus justifies the adoption of an ordinance.

**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:** Over the next 6 months, City staff will continue to work with MHS staff to facilitate their involvement in public events for educational purposes to improve compliance with pertinent ordinances as part of the achievement of the overall mission of the JPA and MHS. The City will promote public education efforts through the City website, electronic newsletter, and print publications.



**Shawn Marshall**  
Mayor

**Andrew Berman**  
Vice-Mayor

**Stephanie Moulton-Peters**  
Councilmember

**Ken Wachtel**  
Councilmember

**Garry Lion**  
Councilmember

**Anne Montgomery**  
City Manager

June 11, 2008

Roberta Robinson, Foreperson  
Marin County Civil Grand Jury  
3501 Civic Center Drive, Room 303  
San Rafael, CA 94903

Dear Ms. Robinson,

The Mill Valley City Council and Mill Valley City Manager have received a copy of the Grand Jury Report "Tails of Marin" Marin County Animal Control Services & The Marin Humane Society, dated April 7, 2008.

The Grand Jury has requested a response to Findings and Recommendations from the City of Mill Valley's Governing Board, which is the Mill Valley City Council. Please find attached our response, which was completed by the City Manager in consultation with the Mayor. The content of our response will be heard at a lawfully noticed open City Council Meeting on June 16, 2008.

Thank you for the opportunity to present our Findings and Recommendations to the Grand Jury.

Sincerely,

Anne Montgomery  
City Manager

cc: City Council