

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: Novato City Council

By: Daniel E. Keen, City Manager

FINDINGS

- I (we) agree with the findings numbered: **F1, F2, F3, F5, F6, F7, F8**
- I (we) disagree wholly or partially with the findings numbered: **F4, F9**

(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefore.)

RECOMMENDATIONS

Note: The City of Novato was asked to respond to R2, R4 and R5

- Recommendation numbered **R4** have been implemented.

(Attach a summary describing the implemented actions.)

- Recommendation numbered **R2** have not yet been implemented, but will be implemented in the future.


(Attach a timeframe for the implementation.)

- Recommendations numbered **R5** require 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.)

- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable **(not applicable)**

(Attach an explanation.)

Date: 6/10/08 Signed: 

Number of pages attached Three (3)

City of Novato

Response to Findings and Recommendations from Grand Jury Report
"Tails of Marin: Marin County Animal Control Services & 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: **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.**

MHS uses this 10 percent to support services that are not required by the JPA or mandated by the state. There are also some overlapping administrative costs for JPA-contracted Animal Control services and Marin Humane Society services that are difficult to separate.

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, due to public health concerns at that time concerning rabies. However, since the formation of the JPA, the JPA and MHS have successfully eliminated the rabies threat mainly through vaccination efforts and public education.

Currently the goal of licensing is to facilitate the reunification of lost dogs with their owners and for the enforcement of animal control ordinances. 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 City of Novato will work with the JPA to increase fees to achieve a 20 percent recovery rate for animal control services.

- 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.**

This finding appears to be based on incomplete information. While MHS Animal Control Services provides 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 MHS 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 MHS 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 MHS Animal Control Services. 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:

- 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 City of Novato will add basic animal control information to its website within the next three months.

In order to ensure that uniform information is given to the public, the City of Novato will work with the JPA and MHS to develop joint public outreach materials on the cost-sharing agreement.

- 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: **Agree.**

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 need to discuss a public education program as part of the achievement of the overall goal of the agreement as well as to improve compliance with local ordinances. However as noted in the response to Finding 9, it appears that the finding is based on incomplete information.



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June 19, 2008

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

Re: **Grand Jury Report: *Tails of Marin - County Animal Control Services and the Marin Humane Society***


Dear Judge Adams:

The Novato City Council as a participant in the Marin County Animal Control Program, received a copy of the April 2, 2000 Grand Jury Report titled *Tails of Marin - County Animal Control Services and the Marin Humane Society*.

Thank you for the invitation to respond to the report. As required, enclosed is one copy of the City Council response.

Please do not hesitate to contact me if you need additional information or clarification.

Respectfully,


Pat Eklund
Mayor

Enclosure