

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: Ross Town Council

By: Gary Broad

FINDINGS

- I (we) agree with the findings numbered: F2, F3, F5, F6, F7, F8
- I (we) disagree wholly or partially with the findings numbered: F1, F4, F9
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefore.)

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.)
- Recommendations numbered R4 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.
(Attach an explanation.)

Date: 6/18/08 Signed: Gary Broad

Number of pages attached _____



June 18, 2008

Roberta Robinson, Foreperson
2007-2008 Marin County Civil Grand Jury
3501 Civic Center Drive, Rm 303
San Rafael, CA 94903

RE: Grand Jury Report: "Tails of Marin: Marin Animal Control Services and the Marin Humane Society," dated April 7, 2008.

Dear Ms. Robinson:

The Ross Town Council has received the Marin County Civil Grand Jury Report titled "Tail of Marin: Marin Animal Control Services and the Marin Humane Society" and discussed the findings and recommendations in a public meeting on June 12, 2008.

The Grand Jury has requested a response from the Council on Findings 1 through 9 on Recommendations 2, 4 and 5.

Response to findings:

Finding 1: 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: Partially agree.

The Ross Town Council has insufficient information to independently conclude as to the national reputation of the Marin Humane Society or the performance of its duties over the past 100 years.

Finding 2: 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.

Finding 3. 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: Agree.

Finding 4. The Marin Humane Society subsidizes 10 percent or more of animal control services costs with its own charitable funds.

Response: Disagree.

The Ross Town Council has insufficient information to determine the extent to which the Marin Humane Society uses charitable funds to subsidize animal control services, if any.

According to the County of Marin, the 10 percent in question supports services that are not required by the JPA or mandated by the state. Additionally, the County states 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.

Finding 5. 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 that balance of animal control services costs.

Response: Agree.

Finding 6. 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.

Finding 7. 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.

According to the County of Marin, the original dog-licensing target of 75%, set in 1979, was based on public health concerns of about high rabies rates, which have since been successfully eradicated. This has changed the goal and function of dog licensing, which is now to facilitate animal control ordinances and to more easily reunite dogs with their owners. Marin County's dog licensing rate of 25-33% is much higher than the national range of 10-20%. Given these facts, the 75-percent dog compliance rate should be reevaluated.

Finding 8. Novato has been a strong advocate for control of its cat population by mandatory micro-chipping and spaying or neutering.

Response: Agree.

Finding 9. 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 Town does not have a leash law, but does require dogs to be under the physical or voice control of a responsible and competent person (Section 8.04.175). Dogs are prohibited on Ross Common, excepting the Grove area, at all times (Section 8.04.161). It is also unlawful to permit any animal to trespass on private property or to defecate on public property without immediately removing the feces (Section 8.04.180). The Town's Noise Ordinance prohibits pet owners from keeping animals whose sounds annoy or disturb other residents (Section 9.20.050).

Pet-owner compliance with animal control laws is generally satisfactory in Ross. Both Town Administration and the Public Safety Department report they have received few, if any, complaints regarding violations of the animal control ordinance. The Public Safety Department promptly responds to any complaints and effectively enforces the animal control laws described above.

Recommendation 2. 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: Will be implemented in the future.

The Town will update its website to include an explanation of the Marin Humane Society's role in providing animal control services. More detailed information regarding the cost sharing protocol and the Joint Powers Agreement is probably beyond the scope of our website, which is intended to be user-friendly and easy-to-navigate. The Town would prefer to provide a link to this information on either the County's website or the MHS website.

Recommendation 4. 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: Requires further analysis.

Both Town Administration and the Public Safety Department are not aware of an unwanted cat population in Ross nor a cat problem of any magnitude that warrants regulation through mandatory micro-chipping and spaying or neutering of all cats. If a problem is brought to the Council's attention in the future, the Council could consider a cat control ordinance after additional analysis is completed and public input is solicited. The Town would need to determine the scope of the unwanted cat population problem in Ross, the effectiveness of the Novato regulations in controlling their unwanted cat population, and the likelihood that similar regulations will have a similar effect in Ross.

Recommendation 5. The county, city and MHS staff 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: Will be implemented in the future.

The Town will include information regarding dog licensing on its website and will send out information to Ross residents via its Information-by-Email system. The Town will also work with the County and/or the Marin Humane Society to promote and implement dog-licensing measures in Ross as appropriate.

The Ross Town Council thanks the Marin County Grand Jury for their work on this project and their thoughtful observations. The Town values its relationship with the Marin Humane Society and the County of Marin in providing effective and appropriate animal control regulation.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. R. Cahill".

William R. Cahill
Mayor