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City Administrator

DAMIEN R. ARRULA

401 East Chapman Avenue – Placentia, California 92870

August 14, 2023

The Honorable Maria Hernandez
Presiding Judge, Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

RE: 2022-2023 ORANGE COUNTY GRAND JURY REPORT ENTITLED “GIMME SHELTER AND A POUND OF ADVICE”

Dear Judge Hernandez:

The City of Placentia has reviewed the 2022-2023 Orange County Jury Report, “Gimme Shelter and a Pound of Advice.” We thank the volunteer members of the Grand Jury for their time and considerable effort in analyzing the various aspects of Animal Care procedures in Orange County. The report made a number of findings and recommendations to which the City of Placentia is required to comment on Findings F4, F6, F7, F8, F9, F10, F11, F12, F13, F15, F16, and Recommendations R6. Please consider this letter the City’s official response to these findings and recommendations.

Finding 4 (F4): Based upon industry standards and best practices. Orange County Animal Care Kennel attendants are understaffed to meet the needs of animals under care.

City Response: The City of Placentia agrees with the Orange County Grand Jury Report of July 2, 2023, that the Kennel is understaffed, as detailed in the Report. The Grand Jury Report cites the Orange County Animal Care’s (OCAC) own 2018 Strategic Plan to allocate 26 Animal Care Attendant positions and the Association of Shelter Veterinarians and National Animal Control Association’s published Guidelines for “standard of care” on the topic. The Report states that the Shelter has 21 positions.

Finding 6 (F6): The Orange County Animal Care Volunteer program was stopped during COVID-19 and restarting the program has been slow, resulting in decreased animal socialization and enrichment.

City Response: The City of Placentia agrees with the findings in the Grand Jury Report. The Grand Jury Report states that COVID-19 meant shutting down the Volunteer program. The City of Placentia places tremendous value on its own City volunteers, therefore, agrees on the value and need to strengthen the OCAC Volunteer program.

Finding 7 (F7): Orange County Animal Care’s Behavioral Evaluation Committee evaluates dogs for euthanasia without written guidelines, policies, or procedures, resulting in inconsistent outcomes over time. Behavior evaluated euthanasia outcomes are dependent on the experience and personal considerations of the individual committee members and management rather than written objective standards.

City Response: The City of Placentia agrees with the findings in the Grand Jury Report and believes the County of Orange may find it beneficial to assess if written guidelines for dog euthanasia are part of the standard of care from other similar organizations. Further, based upon an increase in euthanasia rates identified, OCAC may need to retain a professionally licensed or certified animal behaviorist.

Finding 8 (F8): *The rate of behavioral euthanasia of dogs has increased significantly over the last 2 years.*

City Response: The City of Placentia agrees with the findings in the Grand Jury Report. Consistent with F7 above, the City of Placentia that the County of Orange should utilize written guidelines for dog euthanasia as a part of the standard of care. Based upon the finding that the current adoption appointment system restricts public access to dog kennels, thereby limiting potential adoption access to all available animals, the City of Placentia believes that this system should be changed to ensure more accessibility of available dogs to the public. Further, OCAC may need to retain a professionally licensed or certified animal behaviorist.

Finding 9 (F9): *Orange County Animal Care does not employ a professional or trained or certified animal behaviorist to oversee the shelter's dog enrichment program, resulting in dogs with declining behavior being placed at greater risk of being euthanized.*

City Response: The City of Placentia agrees with the Orange County Grand Jury Report finding and recommends consideration that the OCAC hire a professionally licensed or certified animal behaviorist. In addition, by creating more access to the adoption system, there will be a likely increase in the rate of adoption, thereby reducing potential declining behavior due to time in the kennels.

Finding 10 (F10): *While many county and city animal shelters throughout the state have active Trap, Neuter, and Return programs. Orange County Animal Care stopped its Trap, Neuter, and Return program, reportedly on the basis of the County Counsel's legal opinion that the program violates a California statute related to willful animal abandonment.*

City Response: The City of Placentia believes the Trap, Neuter, and Return has worked effectively for several years to reduce the stray animal population. Therefore, further analysis should be done by the County of Orange as to whether the Trap, Neuter, and Return program is truly a Penal Code Violation and whether there is case law on this subject. Like all public programs, a cost-benefit analysis should be conducted to determine whether the public good outweighs the legal risk of such a decision.

Finding 11 (F11): *The termination of the Trap, Neuter, and Return program is correlated with an increase in adult cat euthanasia rate at the shelter.*

City Response: The City of Placentia agrees with the findings in the Grand Jury Report. The Report appears to find that there is a correlation with increases in the cat euthanasia rate as a result of the termination of the Trap, Neuter, and Return program. While the City of Placentia cannot speak to this finding in terms of its own analysis of the topic, the City finds the matter concerning. As stated above, the City believes that the Trap, Neuter, and Return program has worked well for several years to reduce the stray animal population; therefore, it is interested in further research on the legalities of the subject. Since so many cities and counties nationwide also deal with this issue, there is likely information on a broader scale available. Like all public programs, a cost-benefit analysis should be conducted to determine whether the public good outweighs the legal risk of such a decision. Also, as stated earlier, by creating more access to the adoption system, there will be a likely increase in the rate of adoption, thereby reducing potential declining behavior and the need for animal euthanasia due to time and lack of space in kennels.

Finding 12 (F12): *There have been public concerns and requests expressed over the years for public programs to include a spay/neuter program by Orange County Animal Care.*

City Response: The City of Placentia agrees with the findings in the Grand Jury Report. Unfortunately, the Grand Jury Report indicates the OCAC does not offer a low to no-cost spay/neuter program, and the City of Placentia believes such a program could be beneficial; however, it cannot weigh in as to the cost of such program to be delivered to the public. Therefore, the City recommends that the County of Orange analyze the cost of a comprehensive spay/neuter program and present such findings to the Orange County City Manager's Committee for Animal Care for consideration and potential implementation. Given the public's interest in such a program over the years, OCAC should take into consideration that a potential subsidy may be needed to ensure that the cost of delivering the program is more beneficial than the increased overall animal population.

Finding 13 (F13): *The current adoption appointment system restricts public access to the dog kennels, thereby limiting potential adopters' access to all available animals.*

City Response: The City of Placentia agrees with the findings in the Grand Jury Report and believes, now that the COVID-19 crisis is over, that there should be a full return to the system in place prior to COVID-19. As an example, most other public agencies have returned to full operations, are back to regular business hours, and are fully accessible to serve the public without restrictions.

Finding 15 (F15): *Internal and community engagement does not adequately communicate the shelter's mission and operating strategy.*

City Response: The City of Placentia agrees with the findings in the Grand Jury Report. The City strives to message its Mission and Vision to both residents and businesses. It is recommended that the OCAC use resources, such as volunteers and Orange County organizations not necessarily directly related to animal care, to spread its mission and operating strategy. The City would be willing to include Shelter and Animal Care information in its communication pieces regularly. This might include obtaining public input, as referenced earlier in the City's response to F12, as part of the discussion on whether residents want a no to low-cost Spay/Neuter program to be implemented and are willing to pay for it.

Finding 16 (F16): *The information currently on the Orange Animal Care website for low-cost spay/neuter is not up to date with regard to referrals and prices for spay/neuter procedures.*

City Response: The City of Placentia agrees with the findings in the Grand Jury Report. The Orange County Grand Jury Report finds that the OCAC website information is outdated. The City of Placentia believes its residents and businesses utilize the Placentia website for various informative needs. Accordingly, the City conducts audits on the accuracy of its website on a regular basis and recommends OCAC should establish a comprehensive system and ongoing process to incorporate similar audits.

Recommendation 6 (R6): *By June 30, 2024, the Board of Supervisors should evaluate the strategic option of creating a Joint Powers Authority for the County and fourteen contract Cities to take ownership and shared responsibility for the financial and operating policies and practices of OCAC.*

City Response: The City of Placentia disagrees with this recommendation. While a Joint Powers Authority (JPA) may provide better checks and balances, creating a JPA could create long-term economic liability concerns for the 14 contract cities by having to prorate employee benefits,

including long-term retirement costs, workers' compensation settlements, etc. Another option may be to create a Board with voting rights, similar to city representation on the Orange County Sanitation District or Orange County Mosquito and Vector Control District. This Board may be comprised of elected or appointed officials.

Thank you for affording us this opportunity to comment upon the findings and recommendations of the Grand Jury. We look forward to working with the County and Grand Jury in addressing these concerns. Should you have any questions or need clarification regarding the City's responses contained herein, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Ward Smith". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ward Smith
Mayor, City of Placentia

cc: Orange County Grand Jury