



July 14, 2008

The Honorable Nancy Wieben Stock
Presiding Judge of the Superior Court
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

As directed by the Grand Jury, and in accordance with Penal Code Sections 933 and 933.05, the City of Dana Point has provided its response to the following findings and recommendations.

F- 1. Some cities using limited-access shelters are sending animals deemed unadoptable to the County Animal Shelter, thereby shifting the cost and responsibility for care and euthanasia to the County if the animals are not adopted.

The City of Dana Point disagrees with the finding.

The San Clemente - Dana Point Animal Shelter does not send animals from their jurisdiction to the Orange County Shelter. All stray animals found in the San Clemente - Dana Point shelter's jurisdiction enter the shelter population. The San Clemente - Dana Point Animal Shelter is a limited-access shelter only as it pertains to owner relinquished animals. The San Clemente - Dana Point Shelter management staff does not have the ability to euthanize unadoptable animals that enter the shelter's population. For this reason, a policy was developed that establishes specific criteria for the intake of owner relinquished animals and restricts the intake of unadoptable owned animals (dogs and cats) into the shelter population. If an owned animal is rejected for intake, the owner is provided a data sheet with phone numbers and addresses to other shelters, humane societies, veterinarians, and animal rescue operations which may assist in the placement or euthanization of their animal. These owners are not directed to the OCAS shelter. It is the animal owners' decision as to the final disposition of their animal.

It is important to point out that while Dana Point residents pay for the San Clemente - Dana Point Animal Shelter with local tax dollars and fees paid for services, they continue to pay for services from the County of Orange with their property tax dollars that go to the County of Orange. As such, Dana Point residents are entitled to receive benefits or services from the County of Orange for those tax dollars received by the County.

R-1. The cities utilizing limited-access shelters adopt an open-shelter policy for all dogs and cats within their city limits or reimburse the County Shelter for the expense of boarding and euthanizing animals from their cities.

A. The recommendation to adopt an open-shelter policy will not be implemented because it is not reasonable.

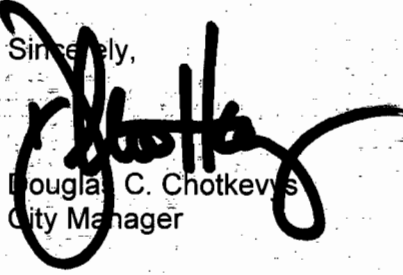
The San Clemente - Dana Point Animal Shelter contractually does not have the ability to euthanize unadoptable animals that enter the shelter and therefore, cannot adopt an open-shelter policy.

B. The recommendation for limited-access shelter cities to reimburse the County Shelter for the expense of boarding and euthanizing animals will not be implemented because it is not reasonable.

Again, it is important to point out that while Dana Point residents pay for the San Clemente - Dana Point Animal Shelter with local tax dollars and fees paid for services, Dana Point residents continue to pay for services from the County of Orange with their property tax dollars that go to the County of Orange. As such, they are entitled to receive benefits or services from the County of Orange for those tax dollars received by the County.

The San Clemente - Dana Point Animal Shelter does not send animals to the OCAS shelter, nor does it direct owners of animals that are rejected for relinquishment from this jurisdiction to the OCAS shelter. As indicted earlier, these owners are provided information as to other shelters, humane societies, veterinarians, and animal rescue operations in the area that may assist in the placement, or euthanization of their animal. It is the animal owners' decision as to the final disposition of their animal. It may be more effective for the OCAS shelter to examine other alternatives such as establishing an owner relinquishment fee for residents from Dana Point and other limited-access shelter cities who choose to relinquish their animals at the OCAS shelter should County choose to implement a fee for service to supplement tax dollars already received by residents of the County.

Sincerely,



Douglas C. Chotkevys
City Manager