



CITY OF FOUNTAIN VALLEY

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August 15, 2023

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

Dear Judge Hernandez:

In accordance with California Penal Code Sections 933 and 933.05, pertaining to the 2022-2023 Orange County Grand Jury report, *Gimme Shelter and a Pound of Advice, The State of Animal Welfare Overseen by the County of Orange*, the City of Fountain Valley has listed the following required responses to the findings and recommendations:

Findings

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

The City of Fountain Valley disagrees partially with the finding provided by the Grand Jury Report. Site visits at the location have identified all areas of the facility were staffed and services did not appear to be impacted.

Finding 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.

The City of Fountain Valley disagrees partially with the finding provided by the Grand Jury Report. OCAC suspended volunteer recruitment during the pandemic. The restart of the program has seen monthly trainings to recruit and train new volunteers. Site visits at the location identified volunteers working at the facility.

Finding F7: Orange County Animal Care's Behavior 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.

The City of Fountain Valley agrees with the finding based only on the information provided by the Grand Jury Report. However, the City has not independently verified the findings.

Finding F8: The rate of behavior euthanasia of dogs has increased significantly over the last two years.

The City of Fountain Valley agrees with the finding based only on the information provided by the Grand Jury Report. However, the City has not independently verified the findings.

Finding F9: Orange County Animal Care does not employ a professional or trained and 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.

The City of Fountain Valley agrees with the finding based only on the information provided by the Grand Jury Report. However, the City has not independently verified the findings.

Finding 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.

The City of Fountain Valley agrees with the Grand Jury finding.

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

The City of Fountain Valley agrees with the finding based only on the information provided by the Grand Jury Report. However, the City has not independently verified, nor do we have the technical knowledge to draw conclusive findings.

Finding 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.

The City of Fountain Valley agrees with the finding based only on the information provided by the Grand Jury Report. However, the City has not independently verified, nor have we engaged in a study to draw conclusive findings.

Finding F13: The current adoption appointment system restricts public access to the dog kennels, thereby limiting potential adopter's access to all available animals.

The City of Fountain Valley disagrees with the finding provided by the Grand Jury Report. The OCAC adoption model has restricted unescorted access; however, all adoptable

animals are accessible to the public through online viewing and in-person visits. Site visits at the location identified in-person access to the animals ongoing.

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

The City of Fountain Valley disagrees with the finding provided by the Grand Jury Report. OCAC hired a full-time Public Information Officer in 2022. At various times over the last year the City of Fountain Valley has seen OCAC facility updates, data sharing, and pet adoption information being published to the community. Furthermore, OCAC staff has participated and connected with Fountain Valley citizens at our community events.

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

The City of Fountain Valley agrees with the finding based only on the information provided by the Grand Jury Report. However, the City has not independently verified the findings. It appears the information posted on the OCAC website is for informational purposes only. OCAC confirmed the information is updated annually and is subject to change at any time.

Recommendations

Recommendation 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.*

The City of Fountain Valley will not implement the Grand Jury recommendation for an evaluation to create a Joint Powers Authority because it is not reasonable. The City of Fountain Valley is concerned that this recommendation has underlying costs and burdens for operating another independent public agency. Furthermore, this action would conflict with the current service contract with OCAC.

Thank you for the opportunity to comment on the Grand Jury report. We hope our answers add to the general understanding of the Orange County Animal Care issues in Orange County. Should you have any questions about this letter, please contact Maggie Le, City Manager, at (714) 593-4410, or at maggie.le@fountainvalley.org.

Sincerely,



Kim Constantine, Mayor