

# Office of the City Council



August 15, 2023

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

RE: Response to the Orange County Grand Jury Report, "Gimme Shelter and a Pound of Advice, The State of Animal Welfare Overseen by the County of Orange"

Dear Judge Hernandez:

The City of Tustin has reviewed the Orange County Grand Jury Report entitled "Gimme Shelter and a Pound of Advice, The State of Animal Welfare Overseen by the County of Orange ". The City of Tustin is responding to the findings and recommendations included within the report. The original Grand Jury findings are repeated below in italics. The City's responses are in bold, with additional explanation and commentary in regular typeface. References to the "City" or the "respondent" refer to the City of Tustin.

## **Findings:**

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

### **The respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*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 respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*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 respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*F8 The rate of behavioral euthanasia of dogs has increased significantly over the last 2 years.*

**The respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*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 respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*F10 While many county and city animal shelters throughout the state have active Trap, Neuter, and Return programs (“TNR”), Orange County Animal Care stopped its TNR 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 respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does

not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

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

**The respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*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 respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

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

**The respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

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

**The respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does

not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

*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 respondent disagrees wholly or partially with the finding.**

The City contracts with the County to provide Animal Control Services, Animal Care Special Services, Animal Care Shelter Services and Barking Dog Compliant Services. Given the City does not directly operate the shelter, the City is unable to adequately comment on this finding. The City defers to the OCAC as the appropriate respondent.

**Recommendations:**

*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. (F1 thru F16)*

**The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.**

Agreements between the County and the partner cities that contract for animal care services expire in 2026. Options for future service delivery models will need to be evaluated in advance of expiration of those contracts.

Should you have any questions or need any additional information, please contact me at (714) 573-3012, or via e-mail at [alumbard@tustinca.org](mailto:alumbard@tustinca.org).

Respectfully,



Austin Lumbard  
Mayor

cc: Orange County Grand Jury  
700 Civic Center West  
Santa Ana, CA 92701