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Friday, August 25, 2023

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

**Re: City of Brea Response to 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***

Dear Presiding Judge Hernandez,

In accordance with Section 933 of the California Penal Code, this letter contains the response from the City of Brea to the Orange County Grand Jury report, dated June 7, 2023, titled *Gimme Shelter and a Pound of Advice: The State of Animal Welfare Overseen by the County of Orange*. The responses included correspond to Findings F4, F6 through F13, F15, and F16 and Recommendation R6, as required by the Orange County Grand Jury.

### **RESPONSES TO FINDINGS**

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

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** The City understands that Orange County Animal Care (“OCAC”) is working to fill all vacancies and will further evaluate their staffing levels once they are fully-staffed. The City has not independently researched industry standards relating to kennel attendant staffing, but City staff has not directly observed inadequacies and is not aware of any complaints regarding this matter from Brea residents.

**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.**

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** The COVID-19 State of Emergency ended on February 23, 2023. The City agrees that OCAC suspended their volunteer program prior to this time, but understands that the program has resumed and monthly volunteer trainings are being held to recruit and

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Marty Simonoff  
Mayor

Christine Marick  
Mayor Pro Tem

Cecilia Hupp  
Council Member

Blair Stewart  
Council Member

Steve Vargas  
Council Member

train new recruits. The City has not directly observed inadequacies and is not aware of any complaints regarding this matter from Brea residents.

**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.**

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** Per the information provided by OCAC, the Behavior Evaluation Committee has euthanasia guidelines to ensure consistency in the decision evaluation process. The Committee does not provide the City its deliberations. The City’s contract with OCAC requires OCAC to operate in compliance with laws that apply to animal care services.

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

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** . It is the City’s understanding that the overall dog save rate has remained stable over the past two years, and well above the 90% rate identified in their Strategic Plan. Per the information provided by OCAC, the increase in behavioral euthanasia of dogs with behavior/aggression issues is attributed to the significant increase in the population of unsocialized dogs that were abandoned or surrendered by their owners in the last two years in the wake of the COVID-19 pandemic.

**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.**

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** While a certified animal behaviorist may not be employed, OCAC employs a variety of staff who interact with dogs to provide enrichment opportunities while in the shelter. It is the City’s understanding that OCAC staff are hired based on their professional experience and are provided with further training to foster employee development.

**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.**

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** The City has not independently evaluated TNR programs throughout the State. The County Counsel does not provide the City with details of its legal opinions.

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

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** Per the information provided by OCAC, it is the City's understanding that there is not a direct correlation between TNR and adult cat euthanasia at the OCAC shelter.

**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.**

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** The City is not aware of any requests or complaints regarding this matter from Brea residents. Also, OCAC communicated that they provide low-cost spay/neuter services in partnership with a non-profit organization called the Healthcare & Emergency Animal Rescue Team (HEART).

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

**Response:** The City of Brea agrees with this finding.

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

**Response:** The City of Brea disagrees wholly with this finding.

**Explanation:** OCAC hired a full-time Public Information Officer in October 2022. The City has received regular communications related to initiatives, events, operating updates, and data sharing. OCAC representatives have participated in the City of Brea's community events, including both at the Pet Expo in 2023 and Tree Lighting Ceremony in 2022, where they have provided information to and engaged with members of the Brea community.

**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.**

**Response:** The City of Brea disagrees partially with this finding.

**Explanation:** In reviewing OCAC's website, City staff located information on spay/neuter services. According to OCAC, the prices for spay/neuter procedures are set independently. To assist members of the public, OCAC provides low-cost spay/neuter services in partnership with a non-profit organization called HEART.

**RESPONSE TO RECOMMENDATION R6:**

**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.**

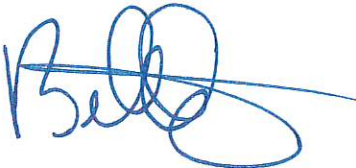
**Response:** This recommendation requires further analysis.

**Explanation:** The existing agreement between the City and OCAC for animal control and shelter services expires in 2026. The City would need to evaluate the budgetary, operating, and personnel impacts that it would incur by participating in a Joint Powers Authority between the County and the other contract cities.

**Implementation Schedule:** Not Implemented. The City will assess the issue closer to the expiration of its existing agreement with OCAC, but a definitive implementation schedule is not possible at this time. In the meantime, the City will continue to work in partnership with OCAC to communicate any suggestions for their ongoing operations.

Should you have any questions, please do not hesitate to contact City Manager Bill Gallardo by telephone at (714) 990-7711 or by email at [billga@cityofbrea.net](mailto:billga@cityofbrea.net).

Sincerely,



Bill Gallardo  
City Manager  
City of Brea

cc: Brea City Council