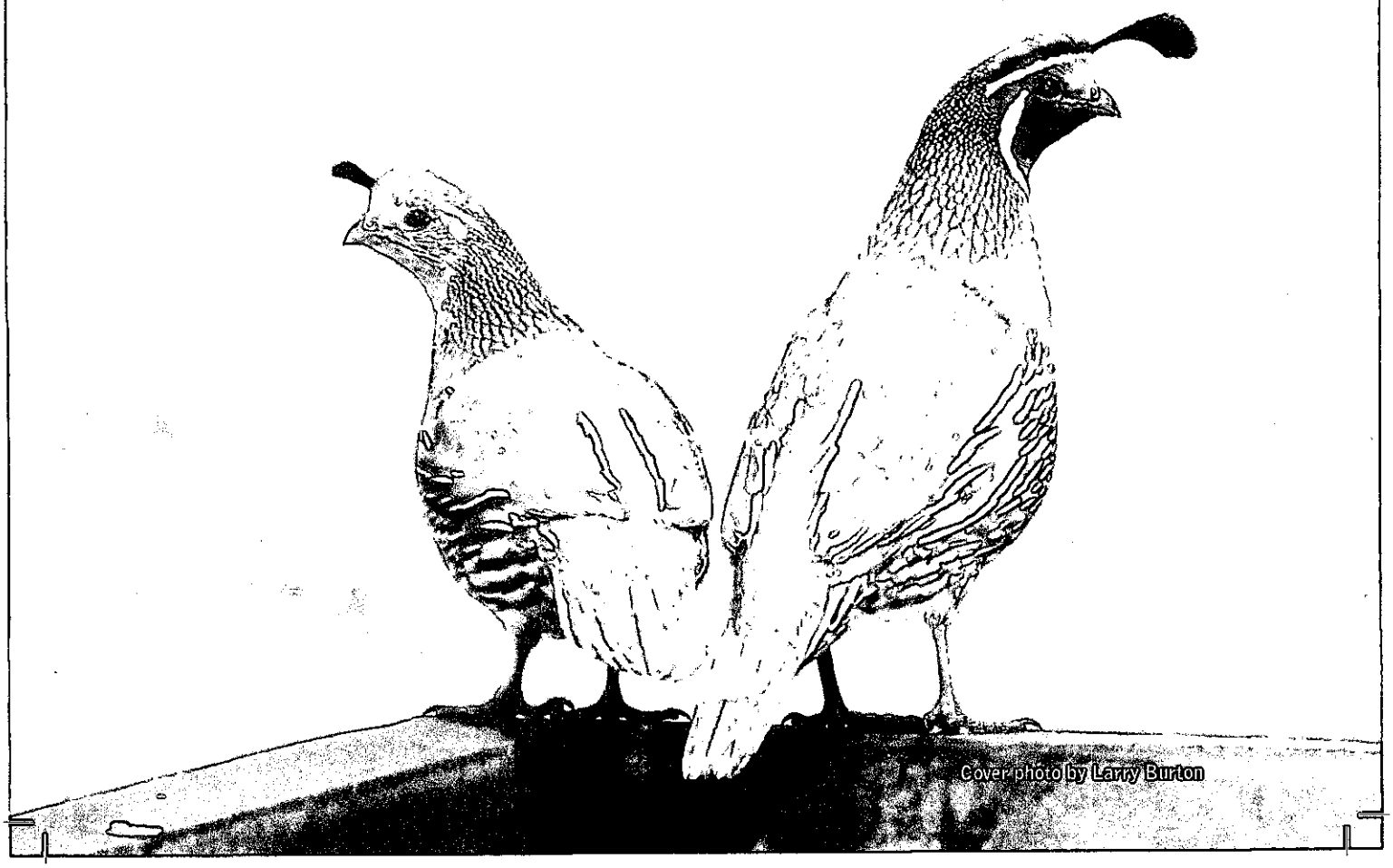
2010-2011
Sutter County Grand Jury Final Report



Cover photo by Larry Burton

ENDORSED FILED

JUL 13 2011

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
By JACKIE LASWELL Deputy

Final Report

of the

2010-2011

Sutter County

Grand Jury

Rebecca Jennings

Foreperson

Honorable Judge Chris Chandler

Presiding Judge

Report
Of the
2010-2011
Sutter County Grand Jury

Rebecca Jennings-Foreperson, Bob Benton, Carol Guidera, Dale Palmer, Don Pope, Glen Davis, Hal Beeso, Harjeet Singh, Jimi Hans, Karen LaRose, Linda Peterson, Megan Saavedra, Nancy Romero, Sue Countryman, Tammie Putman, Theresa McFall, Tom Bethards, Vera Crabtree

Final Report [pursuant to Penal Code 933 (a)

Rebecca L. Jennings

Rebecca Jennings,
2010-2011 Foreperson

May 4, 2011

Date

Pursuant to Penal Code Section 933(a), the Presiding Judge makes the finding that the foregoing report is in compliance with the Title 4, Chapter 3 of the Penal Code ("Powers and Duties of the Grand Jury".

Honorable Christopher Chandler, Presiding Judge
Superior Court of California, County of Sutter County

5-6-11

Date

SUTTER COUNTY GRAND JURY

Honorable Judge Chris Chandler
Sutter County Superior Court
446 2nd Street
Yuba City, CA 95991

Dear: Judge Chandler

In accordance with the California Penal Code Section 933, the 2010-2011 Sutter County Grand Jury has completed its duties with the release of the Final Report to the Court and to the citizens of Sutter County. We were privileged to be selected a year ago to serve on the Sutter County Grand Jury as "a voice of the people and conscience of the community." We took our work seriously and did our best to approach our reviews and investigations objectively and thoroughly.

It has been a year of learning and hard work in gaining new insights; some were frustrations, and some were fun. We have all had personal growth in this Grand Jury experience. As is with any new Grand Jury, eighteen independent individuals with distinctive talents and skills successfully formed cohesive efforts to make their contribution to the citizens of this county. Members of this Jury have dedicated countless hours of work investigating, compiling, debating, and writing these reports. Each member of this Grand Jury contributed greatly to this report. I am proud of my fellow jurors and all they have accomplished.

This year was Judge Brian Aronson second year as the supervising judge for the Grand Jury. We would like to thank Judge Aronson, together we have learned a lot. To complete our work, we had the assistance of the county's court staff, particularly Christine Dagnino and Jackie Laswell. Each staff member we encountered was friendly and helpful. Our thanks to District Attorney Carl Adams and his staff who assisted us along the way taking our phone calls and providing us with the information we needed to perform our duties as members of the Grand Jury. We commend District Attorney Carl Adams dedication of time as the legal advisor for the Grand Jury for the past twenty-eight years. The Court Security Staff was very helpful as we navigated unfamiliar territory around the courthouse. Many individuals from the various agencies we visited were also helpful in countless ways.

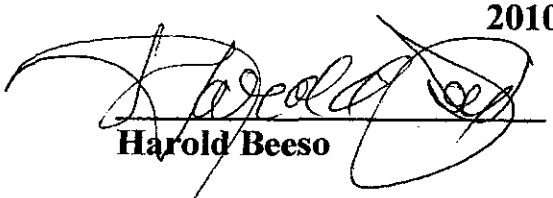
In Conclusion I would like to thank this year's Grand Jurors for their conscientious effort and commitment. I would also like to thank Tammie Putman for her dedication and service as the Pro-tem and Secretary of the 2010-2011 Sutter County Grand Jury. Her dedication has made our job much easier. In closing, I would also like to express my

gratitude to the families of my fellow jurors in their unwavering support of their family members as they dedicated many hours away from home in performance of their Grand Jury duties. I believe that each member of this year's Sutter county Grand Jury will echo my sentiments, that this has been a priceless learning experience and opportunity to serve our County. I consider it a privilege to have served with the many individuals who demonstrate concern about the welfare of their county and the citizens who reside in it.

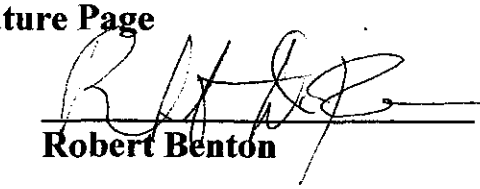
Respectfully,

Rebecca Jennings, Foreperson
Sutter County Grand Jury 2010-2011

2010-2011 Signature Page



Harold Beeso



Robert Benton



Tom Bethards



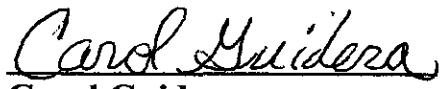
Susan Countryman



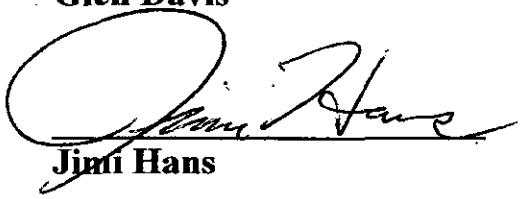
Vera D. Crabtree



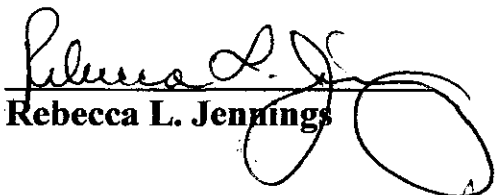
Glen Davis



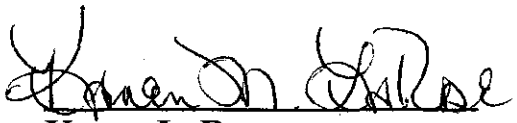
Carol Guidera



Jimi Hans



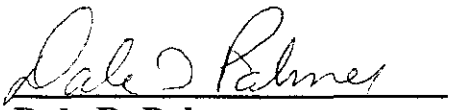
Rebecca L. Jennings



Karen LaRose



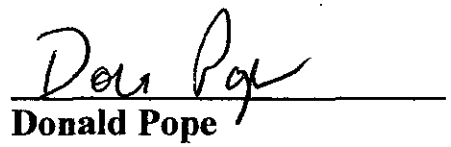
Theresa McFall



Dale D. Palmer



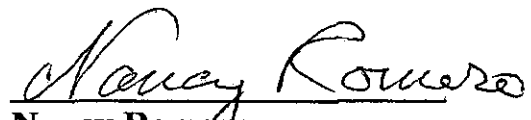
Linda Peterson



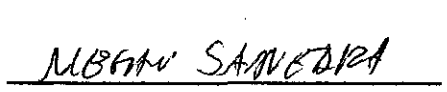
Donald Pope



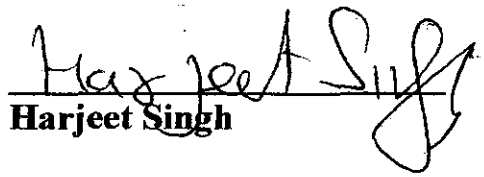
Tammie Putman



Nancy Romero



Megan Saavedra



Harjeet Singh

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AD-HOC Committee

Sutter County Jail Nurses Program
Citizens Complaint

Introduction

The 2010-2011 Sutter County Grand Jury (SCGJ) received a citizen's complaint on the Sutter County Jail Nurses Program. The complaint alleged illegal practices, lack of training, out of compliant policies/procedures and poor inmate medical care.

The Grand Jury established an Adhoc Committee to undertake an investigation to determine these allegations on the complaint. Interviews were held with supervisors, managers, and staff of the Sutter County Jail. The Adhoc Committee completed an investigation of this complaint and made a number of recommendations resulting from that investigation.

Discussion

The Sutter County Jail Nurses program is to ensure provision of emergency and basic health care services to individuals who are in custody. Nursing Staff provides health care to the incarcerated from booking until the time of release. Along with the Physician and Nurse Practitioner, there is a Jail Nurse Manager, a Supervising Registered Nurse (SRN) , three Licensed Vocational Nurses (LVN)'s and 7-8 contract LVN's. Since November 2010, the county has an open position for a second SRN.

The Grand Jury felt the allegations in the complaint were serious and needed to be investigated.

The complaint alleges the following:

Inadequate R.N. Coverage

According to the complaint, per Legal Decree #CIV-S-93-1256 DFL JFM (P) of Dempsey W. Haller, et al. vs. The County of Sutter, et al. (see attachment, A) states in part:

E. 2. Staffing: "Jail medical staffing is the responsibility of the County's Human Services Department and shall consist of at least one registered nurse on site during either the day shift or the evening shift seven days per week, and either one registered nurse or one LVN on site during the other day shift or evening shift as appropriate, seven days per week…"

Prior to the resignation of a SRN, there was one SRN and LVN on the day shift or one SRN and LVN on the night shift. There was an incident when the SRN on the night shift became ill while on duty. The SRN called in a LVN for backup. The SRN was reprimanded by the Jail Nurse Manager in an email that there should have been a Registered Nurse on duty. The SRN was referred to legal decree #CIV-S-93-1256 DFL

JFM (P) against Sutter County, which states the requirement. The SRN was not told of this legal decree prior to this incident. According to the staff, there had been 20 days so far that year that this had occurred. During the investigation, it was noted that this was a common occurrence since there were only two SRNs.

Lack of Training

According to the complaint training of staff nurses has not occurred in more than five (5) years. Annual onsite training is necessary to maintain proficiency in emergency response procedures.

Before the SRN resigned, the SRN requested onsite training. The SRN's request was refused by the Jail Nurse Manager. The SRN put together training on Emergency Response in the jail. The SRN asked for a review of the materials and the Jail Nurse Manager refused to even look at the class outline. The SRN held the class with a few nurses and correctional staff in attendance.

Out of Compliant Policies and Procedures

The complaint alleged the Jail Nurses Program is out of compliance with California State correctional code – Title 15 sec 1206 Policy and Procedures (P&P) are to be reviewed annually. Standardized Nursing Procedures (SNP) have not been reviewed or updated since 1995. The SNP has been changed with pencil marks.

The nursing staff has inquired as to why these P&P's and the SNP's are outdated. The Jail Nursing Manager's answer is lack of time prevents him from completing the task.

Finding

Inadequate R.N. Coverage

The Nurse staffing at the Jail has been directed by a court order in Dempsey W. Haller vs. Sutter County, et al. No. CIV-S-93-1256 DFL JFM (P). Failure to comply with this order Sutter County can be found out-of-compliance and could be liable for additional action by the Court.

Recommendation

Every effort should be made to hire an additional SRN and ensure one is available for either the AM shift or the PM shift. The Nursing Program Manager needs to take a more active role in managing the Jail Nursing Program. Once the SRN position is filled, the Nursing Program Manager, who is also an RN, must be utilized to ensure the Jail Nursing Program is in compliance with the court order.

The Assistant Director of Health and Human Services should provide oversight to insure the Jail Nursing Program is in full compliance with court order Legal decree #CIV-S-93-1256 DLF JFM (P).

Finding

Lack of Training

Legal decree #CIV-S-93-1256 DLF JFM (P)
E19. Training: "Jail custody staff shall receive periodic update training in First Aid, CPR, intake screening, blood borne pathogens and suicide prevention…"

Sutter County Jail Medical Policies and Procedures #3 Section 6. "Oversees training of nurses and/or officers in areas where improvement is needed, as identified by QA audits, including regular and continued joint staff development activities. These will be documented as to date given, content, attendees and comments."

Training is necessary to maintain proficiency in on-site activities. The Nursing Program Manager has failed to offer his nursing staff any of the required training. When one of his SRN's put together an emergency response training class he refused to review the course outline before the class was held.

Recommendation

The Grand Jury recommends the Nursing Program Manager along with the Medical Officer, develop a training program to ensure adequate on-site training be made available to the nursing staff on a regular basis. The Assistant Director of Health and Human Services should provide oversight to ensure this training program is implemented.

Finding

Out of Compliance Policies and Procedures

Title 15 Regulations 1206. Health Care Procedure Manual "The health authority shall in cooperation with the facility administrator, set forth in writing, policies and procedures in conformance with applicable State and Federal law, which are reviewed and updated at least annually…"

During the investigation, it was stated unanimously that the P&P's were significantly out-of-date. The County Medical Officer is responsible for making sure the P&P's are current by signing them annually. The Jail Nurse Program Manager has overall responsibility to see that the Nursing Program policies and procedures are operational and functioning in the scope as laid out in the Standard Nursing Procedures. The Jail Nurse Program Manager has not done this. When the Jail Nurse Program Manager was hired, the P&P's were not up to date. By not correcting these problems, his inaction has allowed this

situation to deteriorate further. The Jail Nurse Program Manager indicated it would take over a year to complete. This should be made a priority.

Recommendation

The County Medical Officer and the Jail Nurse Program Manager with oversight from the Assistant Director of Health and Human Services should ensure the Jail Nursing Program P&P's are reviewed, rewritten, and made current so they can be used and referred to by the jail staff. The Standard Nursing Procedures has been changed with pencil marks and needs to be corrected.

The Grand Jury recommends that these documents be completed by December 31, 2011. The Jail Nursing Program would also benefit from more active oversight by the Assistant Director of Health and Human Services to see that it is accomplished by the above date.

Finding

During this investigation the Grand Jury finds the Jail Nursing Program is completely out of compliance with annual nurse training updates and standard nursing procedures. This exposes Sutter County to numerous potential issues in the future.

Recommendation

The Grand Jury recommends that the Assistant Director of Health and Human Services actively take measures to ensure that this program is in full compliance with the law. It is unacceptable that the program is out of compliance, lack of training for the nursing staff, not having the P & P's up-to-date, and the pencil corrections in the SNP. The Grand Jury recommends that the Jail Nursing Program be in full compliance by December 31, 2011.

Respondents

Director of Health and Human Services, Tom Sherry
Assistant Director of Health and Human Services, Amerjit Bhattal
County Medical Officer, Dr. Cummings
Jail Nurse Program Manager, Brent Garbett

Attachment A

FILED

SEP 14 1994

CLERK, U. S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

DARRELL W. LARSEN - Bar No. 044272
SUTTER COUNTY COUNSEL
JAMES SCANLON - Bar No. 078914
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P. O. Box 86935
Los Angeles, CA 90086-0935

Attorneys for Defendants COUNTY OF SUTTER
and SHERIFF ARTHUR R. BRANDWOOD

LODGED

SEP 14 1994

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMPSEY W. HALLER, et al. Plaintiffs, vs. THE COUNTY OF SUTTER, et al.	No. CIV-S-93-1256 DFL JFM (P) AMENDED SETTLEMENT AGREEMENT

26

The parties hereby stipulate to settlement of the issues remaining in this case as follows:

A. Clothing Exchange: Defendants will provide Jail inmates with clothing upon intake, and periodic clothing exchanges pursuant to Title 15, section 1260, 1261, 1262, 1263, and 1264. All references to Title 15 in this agreement are to Title 15 as amended in 1994.

B. Recreation: Defendants will provide Jail inmates with outdoor recreation pursuant to Title 15, section 1065. Defendants will make best efforts to provide Main Jail inmates with outdoor recreation five times per week. In addition, defendants will provide, subject to security considerations, the following recreation equipment in the Jail's outdoor recreation yards [both male and female]: portable basketball hoops, volleyball nets and balls, handballs, and one Santa Clara County Hermo II exercise machine.[1]

C. Food: Defendants will complete the Jail's kitchen remodel project by September 1, 1994. Thereafter, defendants will comply with Title 15 standards, specifically sections 1240, 1241, 1242, 1243, 1245, 1246, 1247, 1248, and 1249 concerning food preparation in the Jail.

D. Law Library: Defendants will participate in an experiment to provide CD-Rom law library materials to Jail inmates effective September 1, 1994. There will be a CD-Rom library for inmates in the Jail.

---

[1]A Hermo II is also provided to inmates housed in the Jail Dormitory housing unit.

1. All inmates will be provided with access to the CD-Rom library and hardbound law library regardless of sentenced or presentenced status, regardless of whether the inmate is represented by counsel.

2. CD-Rom library and hardbound law library access will be subject to reasonable security, staffing and time restrictions. Inmates facing court deadline and inmates proceeding "in pro per" in local courts will be afforded priority access.

3. Inmates who request access to the CD-Rom or hardbound law library will be provided direct access without staff present and will be allowed to browse among the available CD disks and law books and to work on their legal cases within the law library.

4. The Jail CD-Rom West Publishing inventory is attached as Exhibit A. The Jail hardbound book law library is attached as Exhibit B.

5. Inmates working with the CD-Rom legal system will have access to a computer, CD drive, dot matrix printer and written instructions explaining how to access CD-Rom materials will be provided by plaintiffs' counsel.

6. The above-referenced experiment will continue for at least a period of twelve [12] months. Counsel for the parties will communicate at least every six months concerning the status of this experiment. At the conclusion of this period the parties shall meet and confer in good faith concerning the long term use of CD-Rom and hardbound law books.

E. Medical Care: Defendants will modify their delivery of medical services system to provide medical, mental health, and dental care to the plaintiff class as set forth below, the implementation of which service systems will be commenced immediately and will be completed on or about January 1, 1995.

1. Intake Screening: Jail medical intake screening shall be performed by a Sheriff's custody staff trained in screening procedures by County medical and mental health personnel. The intake screening form shall meet the criteria established by Title 15 of the California Code of Regulations and the California Medical Association. Jail medical staff shall review all intake screening forms as soon as possible, in most cases the same day as booking, but in no event later than the next shift when nursing staff is available.

2. Staffing: Jail medical staffing is the responsibility of the County's Human Services Department and shall consist of at least one registered nurse on site during either the day shift or the evening shift seven days per week, and either one registered nurse or one LVN on site during the other day shift or evening shift as appropriate, seven days per week. Supplementing this nursing coverage shall be on-site visits by a nurse practitioner or physician's assistant two days per week for a total of approximately four hours per week, and on-site visits by a physician twice per week for approximately five hours. Excluding weekends and county holidays, there will be an on-site visit by either a nurse practitioner, physician's assistant, or a physician not less frequently than every other day. Further

supplementing this coverage shall be on-site visits by a County mental health staff crisis counselor for approximately 18 hours per week, for no less than 3 separate visits each week. On-site visits for physicians and mental health workers will take place, whenever possible, on established days and hours. Clerical support will be provided the Jail nurses as appropriate.

3. Sick Call: There shall be a screening process concerning inmate medical problems and complaints conducted by the Jail nursing staff or a nurse practitioner or a physician's assistant. To access sick call, inmates shall utilize a Jail Sick Call Request form. The triage for sick call slips shall take place daily, formal sick call shall be available five days per week.

4. Pill Call: Medications shall be distributed to Jail inmates by County medical and/or Jail staff based upon protocols established and approved by the County Department of Human Services. All medications shall be distributed the appropriate number of times per day deemed medically necessary by County medical/mental health staff.

5. Inmate Medical Records: Inmate medical/mental health/dental records shall be maintained in a confidential manner and in a secure setting. The Jail's medical staff shall maintain records on site at the Jail which document inmate medical problems and which include the information and documents deemed necessary by established protocols based upon Title 15 Minimum Jail Standards.

/////

6. Access to Specialized Clinics: Inmates shall have access to specialized clinics and care as deemed appropriate by County medical, dental, and mental health providers.

7. Inmates With Acute Illnesses: Inmates with acute illnesses shall be transferred to alternative sites for care as deemed appropriate by County medical and/or mental health staff.

8. Detoxification: The Jail shall maintain written detoxification procedures which are utilized by both Sheriff's and County medical staff. These procedures shall comply with the standards set forth in the Title 15 "Minimum Standards" for Local Detention Facilities in the California Code of Regulations.

9. Communicable Diseases: The Jail shall maintain its plan to detect, control, and treat inmates with priority communicable diseases. The program to detect, control and treat inmates with communicable diseases will describe how the identification, treatment, control, and follow-up management of inmates with communicable diseases will occur. Priority communicable diseases will include TB, HIV/AIDs, STD's, Hepatitis A and B, Rubella, Measles and other diseases identified by Jail staff and the Sutter County Public Health Officer.

10. Standardized Practices: The Jail's medical personnel shall follow established written treatment protocols prepared by the County's Department of Human Services. These treatment protocols, and the medical policies and procedures utilized by Jail medical staff shall be completely revised and approved by all of the involved County agencies. Jail policies, procedures, and treatment protocols shall follow the format established by the California Medical Association.

11. Suicide Prevention: The Jail shall maintain a suicide prevention program which includes instruction by County mental health staff [both classroom and video training] for Sheriff's personnel working with the Jail.

12. Dental Care: Inmates requiring dental care shall be referred to a private provider who shall provide the appropriate care necessary to alleviate pain, prevent infections, and treat emergency dental needs. Dental care shall be timely depending upon the pain and seriousness of the dental problem. Dental care shall not be limited to extractions, however, the dental care provided to Jail inmates is not intended to deal with years of personal neglect.

13. Management of Pharmaceuticals: Pharmaceutical practices will comply with section 1216 of the Title 15 Minimum Standards for Local Detention Facilities.

14. Sick Call Forms: The Jail's sick call form, including the form necessary to request mental health care, shall be printed in English, Spanish, and Punjabi. Inmates who request that a staff member act as a translator during the sick call or intake screening process shall be provided with language assistance as deemed appropriate by Jail staff. Access to forms shall include access to information concerning how to obtain medical, mental health, and dental care within the Jail.

15. Quality Assurance: The responsible County physician for the Jail under Title 15, section 1202 shall establish a mechanism to assure that the quality and adequacy of medical, dental, and mental health care is annually assessed. The plan

shall include a means for the correction of identified deficiencies of the medical/dental/mental health and pharmaceutical services provided and shall include the statistical gathering set forth in Title 15. In addition, and as part of this plan, monthly meetings shall be held between the Jail's custody and medical/mental health staff.

16. Informed Consent: The Jail has established procedures which conform to Title 15, section 1214 of the California Code of Regulations.

17. Food Handlers: The responsible physician shall develop procedures for medical screening of food handlers prior to working in the facility kitchen. Additionally, there shall be written procedures for education and ongoing monitoring and cleanliness of food service workers in accordance with section 27605 of the Health and Safety Code, California Uniform Retail Food Facilities Law.

18. Jail Medical Office: The Jail's medical office shall be renovated by March 1, 1995.

19. Training: Jail custody staff shall receive periodic update training in First Aid, CPR, intake screening, blood borne pathogens,and suicide prevention.

20. OSHA: The Jail will implement a program to address the OSHA blood borne pathogen requirements.

21. Women's Rights: The Jail will post as necessary the pregnancy related rights of female inmates as set forth by the California Penal Code.

22. HIV Testing: HIV testing will be provided in the Jail upon request. Pre and post test counselling will be provided.

F. Either party may seek to change the terms of this SETTLEMENT AGREEMENT pursuant to the standards set forth in Rufo v. Inmates of Suffolk County Jail, 502 U.S. ____, 112 S.Ct. 748 (1992).

G. In the event that an emergency threatens the Sheriff's ability to comply with these orders, counsel for defendants will notify counsel for plaintiffs no later than the next business day.

H. Defendants shall pay to plaintiffs' counsel attorney fees in the amount of $17,500 at the time of the filing of the Final Judgment.

I. The parties have previously stipulated to a permanent injunction filed on September 15, 1993 relating to any and all population issues, a copy of which is attached hereto and incorporated herein by reference as Exhibit C. This SETTLEMENT AGREEMENT is intended to resolve all matters not covered by the permanent injunction referred to above.

Upon the execution of this SETTLEMENT AGREEMENT, the parties request a dismissal of all matters not covered by the permanent injunction referred to above.

J. The parties stipulate and agree that the Magistrate Judge and District Court Judge assigned this case will issue any and all orders necessary for the dismissal of this action, including but not by way of limitation any orders deemed

necessary regarding posting of this agreement and any Fairness Hearing deemed necessary.

IT IS SO STIPULATED:

DARRELL W. LARSEN
SUTTER COUNTY COUNSEL

DATED: August 16, 1994

JAMES SCANLON
DEPUTY COUNTY COUNSEL
Attorneys for Defendants

DATED: August 17, 1994

PAUL COMISKEY
Attorney for Plaintiffs

EXHIBIT A -- CD-ROM LIBRARY

1. The system will provide access to the following legal authorities:

(a) Reported cases of the United States Supreme Court

(b) Federal 2d and Federal 3d Reporters

(c) All available California reported cases

(d) Annotated California Codes

2. The computer hardware system which will include a single work station terminal shall be selected by the Sutter County Sheriff with the concurrence with plaintiffs' counsel.

EXHIBIT B -- LAW LIBRARY - BOOKS

In addition to computerized legal research, the law library shall consist of at a minimum the following bound authorities or their substantial equivalents:

1. West California Rules of Court, State - latest edition

2. West California Rules of Court, Federal - latest edition

3. West Federal Rules of Civil and Criminal Procedure and Evidence - latest edition

4. Black's Law Dictionary - latest edition

5. Deerings California Penal Code - latest edition

6. Deerings California Civil Practice Code - latest edition

7. Federal Habeas Corpus - 2nd edition (Michie Company)

8. California Criminal Law

   Book No. 1
   - a. Introduction to Crimes
   - b. Elements of Crime
   - c. Defenses
   - d. Crimes Against the Person

   Book No. 2
   - a. Crimes Against Property
   - b. Crimes Against Decency and Morals
   - c. Crimes Against Public Peace and Morals
   - d. Crimes Against Governmental Authority

   Book No. 3
   - a. Punishment for Crimes

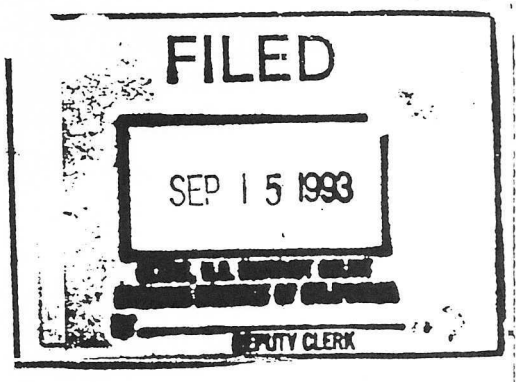


EXHIBIT C

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Attorneys for Defendants COUNTY OF SUTTER
and SHERIFF ARTHUR R. BRANDWOOD

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMPSEY W. HALLER, et al. Plaintiffs, vs. THE COUNTY OF SUTTER, et al. Defendants.	NO. CIV-S-93-1256 DFL PAN (P) **STIPULATION RE POPULATION LIMITS, ORDER**

7

The parties hereby agree and stipulate to the following injunctive orders:

1. This action shall proceed as a class action pursuant to Federal Rules of Civil Procedure, Rule 23b.

2. Defendants are enjoined from bedding inmates on the floor.

3. The maximum assigned bed capacities for each housing unit of the Sutter County Jail are set forth below:

Unit I - 8 beds

Unit MPS - 24 beds*

Unit MS - 24 beds*

Medical Sheltered Living - 3 beds

Kitchen Trustee Unit - 8 beds

FPC - 4 beds

FPS - 6 beds*

FS - 10 beds*

FJ - 4 beds

Jail Dormitory - 62 beds*

4. Defendants may operate, if conditions warrant, housing units MPS, MS, FPS, and FS at two beds above the capacity defined in paragraph 3. Defendants may operate, if conditions warrant, the Jail Dormitory with as many as six beds above the capacity defined in paragraph 3. Defendants shall not house inmates in MPS, MS, FPS, FS, and the Jail Dormitory above the capacities agreed to in paragraph 3 unless beds of like classification are not available in other housing units. In the event units MPS, MS, FPS, FS, and the Jail Dormitory are operated above the capacity set forth in paragraph 3, outdoor recreation will be provided for those units

operating above the capacity set forth in paragraphs 3 for at least one hour per day, five days per week. In no event will any housing unit operate above its paragraph 3 capacity for more than 14 consecutive days and, in no event will the total Jail bed capacity exceed by 14 beds the total capacity set forth in paragraph 3, except that except that Defendants may operate the Jail Dormitory at its existing bed capacity of 88 beds until the Minimum Facility presently under construction is operational.[1]

5. The prohibition against floorsleepers is effective immediately. The population limits set forth in paragraphs 3 and 4 shall be effective forty five [45] days from the date that this Order is approved by the District Court.

6. Defendants are enjoined from adding beds to the Main Jail in each and every housing unit which exists on the date that this stipulation is executed.[2]

7. The Sheriff of Sutter County is authorized by this order to release inmates from the Sutter County Jail whenever the Sutter County Jail, or any specific housing unit therein, is within ten percent [10%] of being filled. The Sheriff shall release inmates or refuse to accept newly-committed inmates whenever all beds in the Jail are filled, or whenever any specific housing unit within the Jail is filled.

---

1. "Operational" is defined, for the purposes of this stipulation, as being 50% occupied under the rated capacity assigned by the California Board of Corrections.

2. This stipulation does not encompass any additional jail structures to be built in the future, whether contiguous or attached, that are not presently within the physical confines of the presently constructed Jail. This stipulation does not limit the capacity of the Minimum Facility presently under construction.

8. Either party may seek to modify or terminate this Stipulation pursuant to the standards set forth in Rufo v. Inmates of Suffolk County Jail, ___ U.S. ___, 112 S.Ct. 748 (1992).

IT IS SO STIPULATED:

DATE: 9/8/93

John Hagar
Attorney for Defendants

DATE: 9/13/93

James Scanlon
Attorney for Defendants

DATE: 9/9/93

Paul Persons
Attorney for Plaintiffs

ORDER

It is so recommended.

DATE: 9-15-93

Honorable Peter A. Nowinski
United States Magistrate Judge
Eastern District of California

It is so ordered.

DATE: 9-15-93

Honorable David F. Levi
United States District Judge
Eastern District of California

Audit and Finance Committee

Misallocation of Bradley-Burns and Transportation Tax Fund Deposits

Introduction

The 2010-2011 Sutter County Grand Jury conducted an investigation into the County Auditor-Controller Department, and Mr. Robert Stark, regarding the misallocation of the General Funds (Bradley-Burns) Sales Tax and Local Transportation Tax Fund deposits.

The Audit and Finance Committee of the Sutter County Grand Jury conducted this investigation. Committee members met with the County Auditor-Controller's office, the County Administrators Office, and their employees respectively.

Discussion

The Auditor-Controller Mr. Robert Stark heads the Sutter County Auditor-Controller's Office.

The Sutter County Treasurer's Office receives an Electronic Funds Transfer from the State Board of Equalization for Transportation Tax and Sales Tax payments on a monthly basis. The county receives sales taxes for a variety of purposes: Law and Justice, Health and Welfare, Transit, and General Revenue. The portions available for each purpose are specified in California law. The Auditor-Controller is then responsible for determining the breakdown of those monies and placed into county accounts.

For the 18-month period from January 2008 through June 2009, the Auditor-Controller's Office reversed the sales tax allocations for the Local Transportation Fund and the county General Fund. As a result, the county owed the Local Transportation Fund approximately $1.7 million, resulting with the General Fund being over stated by the same amount. The breakdown by fiscal year is as follows:

> This misallocation of funds for fiscal year 2007-2008 resulted in the Local Transportation Fund being understated by $611,823.51 and the General Fund being overstated by the same amount.
>
> For fiscal year of 2008-2009, the Local Transportation Fund was understated by $1,111,016.49 and the General Fund was overstated by the same amount.

The Transportation Tax monies allocated for the Local Transportation Fund and Sales Tax monies allocated to the General Fund were incorrectly reversed.

Ms. Ronda Putman, in her capacity of Assistant Auditor-Controller on January 14, 2010 questioned an accountant clerk, regarding the differences in the dollar amounts in the two accounts. The accountant clerk then ran a report on February 18, 2010, found the actual errors in deposits, and reported back to Ms. Putman.

Ms. Putman then arranged to meet with the accountant clerk and Mr. Stark, to discuss the errors and to schedule a process of correction. On April 16, 2010, Ms. Putman phoned Gallina LLP Certified Public Accountants, Sutter County's contracted independent auditor, to notify them of the errors and to discuss the impact on the financial statements. Ms. Putman was unable to reach Gallina by phone and left a message.

On Friday, April 16, 2010, the accountant clerk wrote the journal entry to correct Fiscal Year 2009-2010 deposits for the current year and sent a copy of this journal entry to Ms. Shawne Corley, Assistant County Administrator Officer. Ms. Corley received this journal entry from the accountant clerk on Monday, April 19, 2010.

On April 19, 2010, Mr. Stark's office notified Ms. Larsen, County Administrative Officer of the error in deposits.

April 21, 2010, Ms. Corley, sent an Inter Office Memorandum to Ms. Larsen concerning the misallocation of Bradley-Burns and Transportation Tax Fund Deposits by the Auditor-Controller's Office.

In an Interoffice Memo from Ms. Larsen to Mr. Stark dated April 23, 2010, Ms. Larsen, and Ms. Corley had completed their research and stated:

"We conclude that sales tax allocated to the General Fund for the 18-month period from January 2008 through June 2009 was overstated by $1,722, 840, and the County General Fund owes this same amount to the LTF…" (See attachment, A)

On April 27, 2010, Mr. Stark, Ms. Putman, and the accountant clerk spoke with a representative at Gallina, LLP. On the same day, Brad Constantine of Gallina, LLP, stated it was the first detail his firm had heard of the issue.

The Auditor-Controller's Office provided little, if any, active effort to ensue the process of investigating and correcting this misallocation of funds from February 18 through April 19 of 2010. The Auditor-Controller's Office stated the county budget took precedence at that time. Due to the seriousness of the situation, making the corrections a priority would have been appropriate.

In a letter to the Sutter County Board of Supervisors, dated May 18, 2010, Mr. Stark reports the incorrect Sales Tax Allocation by the Auditor-Controller's Office. The letter states the Auditor-Controller's Office acknowledges responsibility for the posting error. In the letter, Mr. Stark states:

"The controls that the Auditor-Controller has put into place for all other departments were deemed unnecessary for the General Revenues budget unit by the CAO because it is monitored and managed by the County Administrative Office's staff, one of which is a Certified Public Accountant.

Throughout the year as deposits are made the Auditor-Controller's Office sends copies of deposit permits to departments so they can track the money they are responsible

for managing. If this control is functioning as designed, deposits crediting the wrong account or fund will be brought to our attention by the departments and corrected timely…" (See attachment, B)

In Ms. Corley's Memorandum to Ms. Larsen, Ms. Corley states:

"It should be clearly noted that the CAO's office does not monitor the deposit process in the Auditor-Controller's office, for either the General Fund Sales Tax or the Transportation Tax, nor does the CAO's office have the ability to do so. The CAO's office also does not monitor or have a direct involvement with the Auditor-Controller's actions involving the Local Transportation Fund." (See attachment, C)

This clearly demonstrated the controls designated by Mr. Stark for all county departments have been superseded by the County Administrator Officer, Ms. Larsen.

From the Board of Supervisor's meeting, May 18, 2010, (Book 3-J, page 469 of board minutes), on motion by Supervisor Gallagher, seconded by Supervisor Munger, and unanimously carried, the board: 1) approved a budget amendment and directed the Auditor-Controller to increase the General Fund, Cancellation Prior Year Designations account #49995 by $1,722,840 and increase the General Fund Undesignated Fund Balance as of July 1, 2009, account # 49999 by $1,722,840 (the cancellation of prior year designations shall decrease the General Fund Designation for Capital Projects, account #37312); 2) directed the Auditor-Controller to provide an official notice to the Sacramento Area Council of Governments of the revised estimates for Local Transportation Tax revenues; 3) directed the Auditor-Controller to process the ensuing distributions from the Local Transportation Tax Fund to restore funding to the road funds of the City of Yuba City, City of Live Oak, and the County Road Fund once the revised apportionments are approved by and received from the Sacramento Area Council of Governments Board of Directors; and 4) directed this agenda item and supporting documents be sent to the Grand Jury."

In respect of the official minutes stated above, the readers of this report may have difficulty in understanding the directives stated in the above quoted paragraph; but in general, the board of supervisors directed the Auditor-Controller's Office to make the necessary corrections needed.

Finding

The Sutter County Grand Jury finds the county receives electronic funds transfers from the state for a variety of purposes. The County Auditor-Controller, Mr. Stark, is then responsible for determining the breakdown of those monies and transfers the funds into county accounts.

Recommendation

The Sutter County Grand Jury recommends the Auditor-Controller's Office continue to scrutinize the deposits.

Finding

The Sutter County Grand Jury finds the Auditor-Controller's Office reversed the sales tax allocations for the Local Transportation Fund and the county General Fund. This error was the result of an unintentional reversal of the account numbers by an accountant clerk.

Recommendation

The Sutter County Grand Jury recommends the Auditor-Controller's Office be responsible for policy and procedures to prevent error in deposits from happening in the future.

Finding

The Sutter County Grand Jury finds that Ms. Putman acted within the realm of her position as the Assistant Auditor-Controller to audit the differences in the dollar amounts in the accounts of the Local Transportation Fund and the General Fund.

Recommendation

The Sutter County Grand Jury recommends the departments be responsible for their own accounts by using the deposit permits from the Auditor-Controller's Office to verify their deposits.

Finding

The Sutter County Grand Jury finds the Auditor-Controller's Office and the County Administor's Office each conducted their own investigation into the misallocation of tax funds.

Recommendation

The Sutter County Grand Jury recommends the line of communication between departments be open and approachable.

Finding

The Sutter County Grand Jury finds the lapse of time between February 18 through April 19, 2010 to be excessive in regard to making the necessary corrections.

Recommendation

The Sutter County Grand Jury recommends corrections are made more promptly.

Finding

The Sutter County Grand Jury finds Mr Stark's policies of controls were deemed unnecessary for the general revenue budget unit by the County Administrator Officer because it is monitored and managed by the County Administrator’s Office staff.

Recommendation

The Sutter County Grand Jury recommends that each department be held responsible for the accuracy of the deposits for their accounts made by the Auditor-Controller's Office.

Finding

The Sutter County Grand Jury finds the Board of Supervisor's approved a budget amendment & directed the Auditor Controller to make all adjustments, and were finalized by October 6, 2010.
(Minutes Approved on May 18, 2010, Book 3-J page 469).

Recommendation

The Sutter County Grand Jury recommends the county departments work together, to be more proficient, with their interdepartmental communication skills, to minimize the amount of time for problem solving.

Respondents

Stephanie J. Larsen, Sutter County Administrative Officer
Robert E. Stark, Sutter County Auditor-Controller
Ronda Putman, Assistant County Auditor-Controller
Sutter County Board of Supervisor

Attachment A

(A)

COUNTY OF SUTTER
County Administrative Office
Interoffice Memo

DATE: April 23, 2010

TO: Robert Stark, Auditor-Controller

FROM: Stephanie J. Larsen, Acting County Administrative Officer

SUBJECT: **ALLOCATION OF BRADLEY-BURNS SALES TAX AND TRANSPORTATION SALES TAX DEPOSITS**

On April 19, 2010, Acting Assistant County Administrator Shawne Corley received a journal entry from your office in which the General Fund Sales Tax account was reduced by $363,090.12 and the Local Transportation Fund (LTF) Transportation Tax account was increased by a like amount. It appears from the journal entry (JE) that the basis for this correction was the incorrect recording of the December 2009 and January 2010 monthly allocations for Transportation Tax and Bradley-Burns Sales Tax. It is our understanding that the Transportation Tax allocation is normally recorded to the LTF and then allocated to the County and two Cities based on SACOG apportionments, and the Bradley-Burns Sales Tax is recorded to the General Fund as it is general revenue to the County. In these two instances, the deposits were reversed and the Bradley-Burns Sales Tax was recorded to the LTF fund and the Transportation Tax was recorded to the General Fund, thereby prompting the correcting JE received from your office.

Ms. Corley reviewed the journal entry and back-up documents, and performed additional research on her own. We conclude that sales tax allocated to the General Fund for the 18-month period from January 2008 through June 2009 was overstated by $1,722,840, and that the County General Fund owes this amount to the LTF. Based on Ms. Corley's research, it appears that:

1. Beginning in January 2008 and continuing through July 2009, the allocations for the Transportation Tax and Bradley-Burns Sales Tax deposits were reversed. The amount which should have been allocated to the Bradley-Burns Sales Tax was put in the LTF, and Transportation Tax was credited to the General Fund.

2. The effect of this has been to understate the amount due and paid to the LTF and overstate the amount due and paid to the General Fund.

3. For Fiscal Year 2007-08, the LTF was understated by $611,823.51 and the General Fund was overstated by the same amount.

4. For Fiscal Year 2008-09, the LTF was understated by $1,111,016.49 and the General Fund was overstated by the same amount.

5. Beginning in August of 2009, the deposits were recorded correctly - - except for the months of December 2009 and January 2010, in the amount of $363,090.12. These deposits were the subject of the correcting journal entry received by this office on April 19, 2010.

6. The estimated Transportation Tax and actual Transportation Tax revenues recorded and tracked by the Auditor-Controller's office, and reported to SACOG for use in their apportionment calculations, were incorrect, beginning with January 2008.

7. The Bradley-Burns Sales Tax deposit for July of 2009 was also incorrect (the amount reflected the Transportation Tax not the Bradley-Burns Tax) and was specifically addressed by the Independent Auditor, due to a separate error regarding recording that deposit as a receivable to FY 2008-09. However, the misallocation of the deposit was not noticed during that audit.

Our research has only extended to the beginning of FY 2007-08. We have not looked at FY 2006-07 and earlier to see if there are additional errors.

In summary, there are two serious issues to contemplate. First, the County's financial records are incorrect for FY 2007-08 and FY 2008-09. FY 2007-08 and FY 2008-09 have already been audited. FY 2009-10 has now been corrected by your office. Second, the amount reported to SACOG and paid to the participating cities has been incorrect for FY 2007-08, FY 2008-09, and potentially for FY 2009-10.

Please review your deposit records for the periods in question and confirm the corrected accounting of the Transportation Tax and Bradley-Burns Sales Tax deposits for FY 2007-08, FY 2008-09, and FY 2009-10 no later than April 30, 2010. If you believe that our analysis is in error, please let us know what you believe the corrected accounting should be, and the documentation for that conclusion.

In addition:

1. Please inform us of any additional fiscal impacts that may be caused by, or related to, the misallocation of payments between the LTF and the General Fund, such as potential impacts on the County's Triple Flip (in-lieu) allocation.

2. Please confirm that the process for recording deposits has been adjusted to ensure that this type of error does not occur again in the future.

We are ethically obligated to inform SACOG and the affected cities of the errors, and to make up the difference, as soon as possible. In addition, this has consequences for our FY 2010-11 budget. Time is of the essence in your response.

Attachments: Bradley-Burns and Transportation Sales Tax Allocations and various back-up materials
C: Board of Supervisors
File:SML/Auditor/17

Attachment B

(B)

COUNTY OF SUTTER

May 18, 2010

ROBERT E. STARK, CPA

AUDITOR-CONTROLLER

To: Board of Supervisors

Re: Report on Incorrect Sales Tax Allocation by Auditor Controller's Office

Executive Summary

As noted in the memo prepared by Acting CAO Stephanie Larsen, a transfer from the General Fund of approximately $1.7 million is necessary to correct the cumulative effects over two years of the incorrect allocation of Local Transportation Fund sales tax to the General Fund. This money will be transferred to the Local Transportation Fund and then on instructions from SACOG disbursed to Yuba City, Live Oak, Yuba-Sutter Transit Authority, Sutter County Road Fund and SACOG administrative fee. As a matter of equity and consistent with our knowledge of the requirements of state audits, the interest of approximately $66,000 (through April 30th) should also be calculated and disbursed with the principal to make the recipients whole.

Background/Discussion

While the Auditor-Controller's Office acknowledges responsibility for the posting error a broader understanding of Sutter County operations is necessary to fully comprehend the issue. The controls that the Auditor-Controller has put in place for all other departments were deemed unnecessary for the General Revenues budget unit by the CAO because it is monitored and managed by the County Administrative Office's staff, one of which is a Certified Public Accountant.

Throughout the year as deposits are made the Auditor-Controller's Office sends copies of deposit permits to departments so they can track the money they are responsible for managing. If this control is functioning as designed, deposits crediting the wrong account or fund will be brought to our attention by the departments and corrected timely. For General Revenues only, the procedure instituted by the CAO and defined in the email below requires the deposit permits to be sent to Shawne Corley:

463 SECOND STREET • YUBA CITY, CALIFORNIA 95991 • (530) 822-7127 FAX 822-7439

From: Shawne Corley
Sent: Friday, November 04, 2005 3:21 PM
To: Mary Webb
Cc: Barbara Kinnison; Curt Coad; Ronda Putman
Subject: CAO assignments

Hi Mary,

We have been shifting assignments over here now that Barbara is here, so I thought I would take this opportunity to let you know who should be receiving/contacted for what information in the future, primarily as it relates to deposits. I have attached a budget assignments list as well.

Anything related to Realignment, or to Budget Unit 1209 (General Revenues) should be addressed to me. Budget unit 1209 includes TOT, franchise fees, tobacco settlement, Sales Tax and MVIL/Property tax issues.

Barbara, as you know, is taking over the SB90 claims process, and you have been working with her on the deposits we have been receiving. Barbara is assigned to the majority of the Public Safety budget units and should receive the PSAF (1/4% sales tax for public safety) deposit permits.

If anything else comes up, just let us know and we can figure out who should be the main contact.

Thanks, Shawne

The controls broke down because the individual assigned to oversee General Revenue was not reconciling the deposit permits to the amounts paid by the State Board of Equalization.

In addition, each year the Auditor-Controller's Office does an analytical review of every account in every fund and every department prior to closing the books. The review consists of checking the balance in each account in each department or fund and evaluating whether the amounts look reasonable. This is done based on an understanding of accounting principles and includes tests of reasonableness including comparisons of budgeted and actual amounts. The Auditor-Controller's Office then meets individually with department heads, assistants, and others to discuss a list of questions compiled based on the review. The purpose is to discover unexplained variances that may require adjustments prior to closing the books. As stated above, this

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procedure was deemed unnecessary for General Revenues by the CAO; therefore, the error did not come to the attention of the Auditor-Controller.

Meeting with SACOG

Based on communications between Auditor-Controller's Analyst John Beaver and SACOG a meeting was scheduled to discuss the adjustment of allocation percentages due to the decrease in revenues he noticed. The purpose of the meeting was clearly to adjust the allocations because the revenue was low, not to analyze the reason for the low revenue. SACOG did not question the low revenues but instead indicated that revenues were low all over the state. No additional effort was made to analyze the revenues because SACOG did not question them. Subsequently, we received the lowered SACOG allocation instructions based on the lower revenues. The Auditor-Controller's Office made no additional affirmation about the correctness of the revenues. None was asked for and none was required. CAO staff Shawne Corley attended the meeting which was held in the Board conference room.

During Mr. Beaver's tracking of the LTF funds and after another month of declining revenue, on April 24, 2009, he called Sonia Caistro of the State Board of Equalization asking why revenues in the LTF fund were so low. She provided the explanation that the reason the revenues were low was due to a "true up" of annual revenues and emailed him a spreadsheet. The Auditor-Controller's Office relied on that Board of Equalization email that the revenue was correct.

Error Discovered

As a result of the State Controller's desk audit of the 2008-2009 County's Annual Report of Financial Transactions the question arose as to why the Sales and Use Tax was overstated in the General Fund based on the State Controller's payment records. Auditor-Controller staff then discovered that the discrepancy began in 2007-2008 and continued to the present. That resulted in the $363,090 adjustment which alerted Shawne Corley to the problem April 16th. That same day Ms. Putman phoned Sandy Sup, CPA, MBA of Gallina, the County's independent auditor, to notify her of the errors and to discuss the impact on the financial statements. She was not available but a voice message was left. She returned the call on April 19th and left a voice message. Both parties were unsuccessful at reaching each other. Auditor-Controller Robert Stark received an urgent phone call from the acting CAO on Friday April 23, 2010, wishing to set up a meeting first thing the following Monday morning. The meeting was held for about half an hour and also attending were Ms. Corley and Ms. Putman. Ms. Corley had prepared an elaborate spreadsheet which she asked Ms. Putman to confirm the amount. Ms. Putman confirmed the amount immediately because she had already calculated it. We discussed the impact on the 2010/2011 budget and we agreed to calculate the interest that would be due. We were left with the impression that our offices would work together to prepare a report and bring a solution to the Board to repay the $1.7 million with interest.

We will be happy to work with the County Administrative Office to recommend solutions to overcome this budget shortfall.

Robert E. Stark

Robert E. Stark, CPA
Auditor-Controller

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Attachment C

(C)

MEMORANDUM

TO: STEPHANIE LARSEN, ACTING COUNTY ADMINISTRATIVE OFFICER

FROM: SHAWNE CORLEY, ACTING ASSISTANT CAO

SUBJECT: SYNOPSIS OF AUDITOR-CONTROLLER'S MISALLOCATION OF GENERAL FUND (BRADLEY-BURNS) SALES TAX AND LOCAL TRANSPORTATION TAX FUND DEPOSITS

DATE: MAY 16, 2010

Per your request, this memo provides a synopsis of the "Sales Tax Reversal" issue and a timeline of events to date. As this memo may need to be used for future discussion and explanatory purposes, please note that I have referred to you as Ms. Larsen in order to be clear as to whom I am referring.

Initial Error - Misallocation of FY 2009-10 Sales Tax:

On April 19, 2010, our office received a journal entry from Marissa Ford (an Accountant II in the Auditor-Controller's office) in which the General Fund Sales Tax account was reduced by $363,090.12 and the Local Transportation Fund Transportation Tax (Transportation Tax) account was increased by a like amount. After my initial review, I realized that Ms. Ford had made this correction because the July 2009, December 2009 and January 2010 monthly payments for Transportation Tax and Bradley-Burns Sales Tax had originally been put into the wrong accounts by Ms. Ford.

In short, the deposits were reversed by the Auditor's office. General Fund money was put into the Transportation Tax fund and Transportation Tax money was put into the General Fund. These errors were not noticed by their office until April of 2010. Because the Transportation Tax payments were much larger than the Sales Tax payments for these three months, the correction caused the amount of revenue shown in the General Fund to go down by $363,090.12.

Background – General Fund Sales Tax money vs. Transportation Tax money:

Transportation Tax money is received by the County and under normal circumstances goes into a non-County fund. That money is then divided up and distributed out to the Cities of Yuba City and Live Oak and to the County Road Fund based on an apportionment that is adopted each year by the Sacramento Area Council of Governments (SACOG) Board of Directors. The apportionment that is adopted by SACOG is based on official estimates of Transportation Tax revenues that are provided each year by the Auditor-Controller of each County within SACOG.

The County also receives general Sales Tax payments from the State – also referred to as the Bradley-Burns Sales Tax. These payments are put directly into the General Fund as "general revenue" to the County. General revenue money is used by the County of offset the costs of most departments in the County; only very few departments do no benefit from General Fund money.

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The amount that the County receives each month for Transportation Tax is usually more than what we received each month for General Fund Sales Tax.

Both the Transportation Tax and General Fund Sales Tax payments are received from the State by Electronic Funds Transfer (EFT) - - these payments are automatically sent by the State to the County Treasury. The Auditor-Controller is responsible for determining where to put those payments (i.e., which account to put the money in) within the County financial records. A copy of the deposit permit that is prepared by the Auditor-Controller's office for the General Fund's Sales Tax payment, and which indicates the amount received, is sent to the CAO's office each month. The CAO's office keeps those deposit permits and periodically evaluates the actual amount received against the amount budgeted to determine whether the County is "on budget" or not. The CAO's office also tracks current year Sales Tax for the purposes of estimating how much should be budgeted in the upcoming year. It should be clearly noted that the CAO's office does not monitor the *deposit process* in the Auditor-Controller's office, for either the General Fund Sales Tax or the Transportation Tax, nor does the CAO's office have the ability to do so. The CAO's office also does not monitor or have any direct involvement with the Auditor-Controller's actions involving the Local Transportation Fund.

Misallocation Error Also Affects FY 2007-08 and FY 2008-09:

Based on my knowledge and the history of errors within the Auditor-Controller's office, I felt the need to research prior months and prior years' deposits to see if the error had been made in the past. I reviewed Ms. Ford's journal entry and back-up documents, and spent time reviewing the Board of Equalization web-site, in an effort to determine how the error could have been made. I performed additional research back to the beginning of Fiscal Year 2007-08 to compare what had been sent to our office by the Auditor-Controller's office, and also reported in the County financial records, vs. what was shown and paid to the County on the Board of Equalization web-site.

During my review, I also recollected a concern that was expressed by SACOG and our office in March of 2009 (discussed below). Therefore, I also reviewed the documentation that I had received in March and April of 2009 from John Beaver (the Accounting Systems Analyst in the Auditor-Controller's office) regarding the Local Transportation Fund, and evaluated that information against what I had received from Ms. Ford and what I found on my own.

SUMMARY OF FINDINGS:

In summary, I found that:

(1) Beginning in *January of 2008* and continuing through *July of 2009*, Transportation Tax and General Fund Sales Tax deposits were reversed by the Auditor-Controller's office. General Fund Sales Tax money was put in the Transportation Tax Fund and Transportation Tax money was put in the General Fund.

(2) The deposits were again made correctly starting in *August of 2009*; but were reversed again in *December of 2009* and *January of 2010*. (The July 2009, December 2009 and January 2010 deposits were corrected by Marissa Ford in the Auditor's office in April 2010, and receipt of the copy of that correction is what alerted me to the error.)

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(3) For FY 2007-08, the Transportation Tax fund was understated by $611,823.51 and the General Fund was overstated by the same amount. Therefore, the General Fund owes the Transportation Tax fund $611,823.51 for FY 2007-08.

(4) For FY 2008-09, the Transportation Tax fund was understated by $1,111,016.49 and the General Fund was overstated by the same amount. Therefore, the General Fund owes the Transportation Tax fund $1,111,016.49 for FY 2008-09.

(5) The estimated Transportation Tax and actual Transportation Tax revenues recorded and tracked by the Auditor-Controller's office, and reported to SACOG for use in their apportionment calculations, were incorrect, beginning with January 2008.

(6) The General Fund Sales Tax deposit for July of 2009 was incorrect and was specifically addressed by the Independent Auditor, due to a separate error made by the Auditor's office regarding recording that deposit as a receivable to FY 2008-09. In essence, the Auditor's office put that month's money into the wrong fiscal year. However, the incorrect amount of the deposit was not noticed during that audit.

Related Issue – Transportation Tax Questioned by SACOG in 2009:

The Auditor-Controller is responsible for all aspects of managing the Transportation Tax fund. This includes: depositing the Transportation Tax payments, developing estimates of annual Transportation Tax revenues, providing those formal estimates to SACOG, and making the Transportation Tax distributions. The County Administrative Office normally is not involved in any aspect of this process because the Transportation Tax fund is not a fund that the County Board of Supervisors has control over and is therefore not included in the annual budget. The portion of Transportation Tax funding that is distributed back to the County Road Fund, based on the SACOG allocation formula, is included in the annual budget in the Road Fund.

On March 4, 2009, I met with Karen Wilcox and Jim Brown, both from SACOG, and with John Beaver, from the Auditor-Controller's office, to discuss the Auditor's Transportation Tax estimates that had been reported to SACOG. The Auditor's office was reporting to SACOG that Transportation Tax revenues had been going down more than the Auditor's office had originally estimated, and SACOG was concerned that they would need to revise their apportionments for the affected agencies (Cities and County). SACOG had been concerned about the declining revenues and had asked all County auditors - of Counties within SACAG - to look closely at their estimates and confirm whether they were in fact correct.

Based on the information that was provided by John Beaver at the meeting on March 4, 2009, it was understood by the SACOG representatives and myself that the calculations prepared by the Auditor-Controller's office were correct, although unfortunate, and that the decreasing numbers in the Transportation Tax were due to overly optimistic estimates prepared by the Auditor-Controller's office and due to general decreases in sales tax revenues. Mr. Beaver was asked to follow-up on his deposits for the next couple of months, and to report back to SACOG and the CAO's office on what the next months looked like. I received no follow-up information from Mr. Beaver following that meeting. On April 18, 2009, I sent an e-mail to Mr. Beaver requesting that he forward to me any follow-up information that he had. On April 20, 2009, Mr. Beaver forwarded to me an e-mail that he had sent to Ms. Wilcox and Mr. Brown of SACOG on April 14, 2009. In that e-mail, Mr. Beaver indicated that he had contacted the State Board of Equalization to find out if additional

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Transportation Tax payments would be received, and he confirmed that his revised Transportation Tax estimate was accurate and would be the best for SACOG to use.

In a separate "process," around the same period of time, the County Public Works Department had also communicated to the Auditor-Controller's office that their office was concerned about what they were seeing on their end - - decreasing amounts received in the Road Fund. Due to their concern, Public Works staff had contacted the Auditor-Controller's office separately to confirm that the amounts that were being recorded and reported were correct. Public Works Department staff has indicated that the Auditor-Controller's office told them at that time that the information was correct.

DISCUSSION - Impact to the County:

First, *the County's financial records are incorrect for FY 2007-08 and FY 2008-09.* As of this writing, based on our discussions with the Independent Auditing firm of Gallina, LLP, an adjustment will need to be made to FY 2007-08 and FY 2008-09, in the current fiscal year, because both prior years have already been closed and audited. FY 2009-10 has been corrected by the Auditor's office *in the current year.*

Second, *the amount reported to SACOG and paid to the participating cities and County Road Fund has been incorrect for FY 2007-08, FY 2008-09, and FY 2009-10.* The County now owes participating agencies, via SACOG, approximately $1.7 million for FY 2007-08 and FY 2008-09 alone. Mike McKeever, Executive Director of SACOG, told us on Friday that he believes that we will owe interest on this money as well. This money will need to be taken out of the General Fund and repaid to those agencies as soon as possible. Because the money will be taken out of the General Fund's fund balance, a budget amendment will need to be recommended to the Board of Supervisors for authorization to re-fill that fund balance by taking money out of General Fund reserves. General Fund reserves will decrease by at least $1.7 million - - a number that will be higher by $30,000 to $40,000 when interest is added.

Third, because the County Administrative Office is now aware that we have been relying on incorrect Sales Tax revenues for the past 2 to 3 fiscal years, our office must *reduce our General Fund revenue estimates for FY 2009-10 and FY 2010-11.* The amount of reduction in each fiscal year is currently estimated at $1.0 million - - for a total reduction of $2.0 million.

The total impact today of the errors that took place over a period of the past 2-3 years is a *reduction in the General Fund of over $3.7 million.* In budget terms, this is a new "hole" to close of $4.0 million. At this point in the year, this degree of loss can only be made up in the FY 2010-11 budget. Had this office been aware of the error earlier - - either earlier in FY 2009-10, or potentially in FY 2008-09 or FY 2007-08 - - the County could have taken proactive measures to reduce expenditures commensurate with the revenue decline. Again, unfortunately, because the error continued unnoticed for so long, the impact is compounded and must now be absorbed all at one time.

Summary Timeline and Action Taken Following Discovery of the Errors:

As indicated above, on Monday, April 19, 2010, our office received a journal entry from Marissa Ford, an Accountant II with the Auditor-Controller's office, dated April 16, 2010, correcting the three monthly deposits from FY 2009-10. I first received the correcting journal entry when I

reviewed the contents of my in-box on Tuesday, April 20. I announced during a staff budget meeting that I had received a journal entry from the Auditor-Controller's office which was reducing General Fund sales tax, and that due to the nature of the change in our revenues, I would need to look into the entry further.

On Monday, April 19, 2010, at 10:00 am, Stephanie Larsen, Acting County Administrative Officer, and I met in our offices with Robert Stark, Auditor-Controller, and Ronda Putman, Assistant Auditor-Controller, to discuss ways that we could work together to improve relations between our two offices. Nothing was mentioned by either Mr. Stark or Ms. Putman regarding the sales tax error. As indicated above, our office did not have full knowledge of the error – or the extent of the error – at that time.

On Wednesday, April 21, 2010, I performed the research detailed above. I had an understanding of the extent of the errors by the afternoon of Thursday, April 21, 2010, and prepared a two-page memo to Ms. Larsen that afternoon.

On Friday, April 23, Ms. Larsen notified the Auditor-Controller in a phone conversation of the results of our research and requested a meeting. At 8:30 a.m., Monday, April 26, Ms. Larsen and I met with Mr. Stark and Ms. Putman, at their offices, to discuss our findings. At that meeting, both Mr. Stark and Ms. Putman said that they were already aware of the extent of the errors, and that the total amount due to the Local Transportation Fund was approximately $1.7 million. However, both indicated that they had not determined whether the $1.7 million error was "material" or not, and had chosen to *not* notify our office. Ms. Putman stated that she had contacted the Independent Auditor, and would let us know what the Independent Auditor would advise us to do to correct the County financial records.[1] Ms. Putman and Mr. Stark both said that neither one thought this matter needed to be taken to the Board, and indicated that a simple journal entry to move the money could be done without Board action and would solve the problem. Mr. Stark also indicated that he thought the County would be required to pay interest on the amount due to the Local Transportation Fund. At the conclusion of that meeting, Ms. Larsen presented Mr. Stark with a letter requesting the following:

> *Please review your deposit records for the periods in question and confirm the corrected accounting of the Transportation Tax and Bradley-Burns Sales Tax deposits for FY 2007-08, FY 2008-09, and FY 2009-10 no later than April 30, 2010. If you believe that our analysis is in error, please let us know what you believe the corrected accounting should be, and the documentation for that conclusion.*
>
> *In addition:*
>
> *1. Please inform us of any additional fiscal impacts that may be caused by, or related to, the misallocation of payments between the LTF and the General Fund, such as potential impacts on the County's Triple Flip (in-lieu) allocation.*
>
> *2. Please confirm that the process for recording deposits has been adjusted to ensure that this type of error does not occur again in the future.*

[1] Per Ms. Larsen, this was not true. When Ms. Larsen spoke to Brad Constantine of Gallina LLP on the morning of April 27th, just prior to the Joint Audit Meeting, this was the first detail that his firm had heard of the issue. Mr. Constantine has indicated that Ms. Putman had only left a message and had not relayed the issue to his office.

The misallocation of General Fund Sales Tax and Local Transportation Tax funds was discussed briefly at the Joint Grand Jury – Board of Supervisors Audit Committee meeting, held Tuesday, April 27, 2010. Mr. Stark did not attend the Joint Grand Jury – Board of Supervisors Audit Committee meeting. The Independent Audit is a primary responsibility of the Auditor-Controller's office. Mr. Stark had previously responded that he would be in attendance at the meeting.

On Monday, May 3, 2010, Ms. Larsen sent Mr. Stark an e-mail asking if he had reached a conclusion regarding whether the County would be required to pay interest on the funds owed to the Local Transportation Fund.

As of this writing, our office has not heard from Mr. Stark regarding any of the above requests. Ms. Larsen and I have personally made telephone contact with the Independent Auditor, Gallina. Their office has indicated that they discussed their recommendation to make a prior period adjustment to the County financial records, and to reduce the County's General Fund fund balance available as of July 1, 2009, with Ms. Putman on approximately Tuesday, April 27. As noted, neither Mr. Stark nor Ms. Putman have shared that information with either Ms. Larsen or myself. Ms. Larsen has also personally contacted the Executive Director of SACOG, to inquire whether his agency had been notified by Mr. Stark of the error, and he had not been informed.

On Friday, May 14, 2010, Ms. Larsen placed a staff report on the Board of Supervisors agenda, recommending that the Board take action to approve a budget amendment and to direct the Auditor-Controller to take appropriate action to correct the effect of the misallocation errors. These recommendations will be considered by the Board of Supervisors at their Tuesday, May 18 meeting.

ENDORSED FILED

DEC 3 0 2010

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
By JACKIE LASWELL Deputy
Public Distribution 1/7/11

Report
Of the
2010 -2011
Sutter County Grand Jury

Rebecca Jennings-Foreperson, Bob Benton, Carol Guidera, Dale Palmer, Don Pope, Glen Davis, Hal Beeso, Harjeet Singh, Jimi Hans, Karen LaRose, Linda Peterson, Megan Saavedra, Nancy Romero, Sue Countryman, Tammie Putman, Theresa McFall, Tom Bethards, Vera Crabtree.

Final Report [pursuant to Penal Code 933 (a)] on subject: Unauthorized Release of Public Information

Rebecca L. Jennings

Rebecca Jennings
2010 - 2011 Foreperson

December 29, 2010

Date

****

Pursuant to Penal Code Section 933(a), the Presiding Judge makes the finding that the foregoing report is in compliance with the Title 4, Chapter 3 of the Penal Code ("Powers and Duties of the Grand Jury".

Christopher Chandler

Honorable Christopher Chandler, Presiding Judge
Superior Court of California, County of Sutter

12-30-10

Date

County Government and Administration Committee

County Government
Release of Public Information

Introduction

The 2010-2011 Sutter County Grand Jury conducted an investigation of the County Auditor, Mr. Robert Stark, regarding the California Public Records Act (CPRA) and the release of the names of all county employee salary and classification data including the names of those who had previously been excluded from such a release.

The County Government Committee conducted this investigation. Committee members met with the staff of the Auditor Controller's office, and the County Administrative Officer (CAO).

Discussion

Under GOVT. CODE §§ 6250 – 6276.48 the fundamental precept of the CPRA is that governmental records shall be disclosed to the public, upon request, unless there is a specific reason not to do so. The county may withhold such information and grant an "exclusion" to any request in narrow circumstances where an employee has a legitimate, verifiable safety and/or security concerns.

An allegation regarding release of public information was referred by Mary Lynn Carlton, Personnel Director to the CAO, Stephanie Larsen and the Sutter County Board of Supervisors (BOS) on July 08, 2010. The BOS then referred the allegation to the district attorney's office who conducted an investigation and then presented the information to the Grand Jury on August 25, 2010.

The Grand Jury investigation disclosed the following:

In August 2008, interoffice e-mails were sent to all elected officials and all employees; from Mary Lynn Carlton, Personnel Director; concerning a request for the release of employee names, titles, and salaries; under CPRA. This e-mail also stated that "if you believe you have a legitimate safety or security reason for the non-disclosure of your name, contact Mary Lynn Carlton immediately and, if warranted, we will withhold your name from the disclosure". This same e-mail and request was issued at numerous times prior to the release of information on May 19, 2010.

Mr. Stark received a request from a private citizen for Sutter County employee payroll information and felt he had a duty to comply with the request per the CPRA; therefore, he released the complete list of Sutter County employees. The Grand Jury found Mr. Stark acted within the scope of his position when he released the complete list on May 19, 2010.

On July 8, 2010, an e-mail from Mary Lynn Carlton stated: "The Personnel Department has been in the process of preparing the requested information, and removing the names

of those employees who were granted exclusions. That report has not yet been released as we are still preparing it.

When the first request was made in 2008 and original exclusions were determined, the County took this process very seriously and spent a significant amount of time processing the request and ensuring that those who should receive exclusion actually received one. The County still takes this process very seriously and works hard to safeguard the exclusions that we deem are appropriate."

After the release of public information by the Auditor Controller**,** Mr. Stark was then directed by the CAO that in the future to refer all those requests to the Personnel Department. Mr. Stark stated "And I certainly intend to comply with that now that I have been informed that's what she wants to happen because in the Auditor's office we are concerned about the employees."

On September 8, 2010, the Grand Jury asked a staff member of the CAO's office if the directive for the CPRA requests were part of the Sutter County policy and procedures manual. The Grand Jury was told "No, at this time there is no county policy or procedure for responding to the CPRA requests." The Grand Jury asked who is responsible for writing the policy for the release of public information and was told that the policy was to be written by the assistant CAO, reviewed by County Council and approved by the BOS. On November 2, 2010 the Grand Jury was told by the assistant CAO the policy had not been started and "It is sitting in a pile on my desk". A commitment was made to have a policy in place by the end of November 2010. A new deadline was offered to be presented to the BOS for approval hopefully by December 2, 2010.

Finding

The Grand Jury finds when the County receives a CPRA request of this nature, the county is responsible to release a list of employee names, compensation and job title information, and may withhold such information and grant an "exclusion" to any information request in a very narrow circumstance where an employee has a legitimate safety or security reason based upon specific, verifiable safety and/or security concerns.

Recommendation

The Grand Jury recommends that Sutter County take steps to prevent the release of confidential employee information in the future by establishing a policy for release of CPRA requests.

Finding

The Sutter County Grand Jury finds that the Auditor Controller, Mr. Stark, did not violate the CPRA law. At the time of release of personnel names, job titles and salary, a County Policy was not in place regarding CPRA. Mr. Stark received a request for the information from a private citizen and he responded to the request based on current law.

The CPRA law was enacted in 2007 and neither the CAO nor the Board of Supervisor's saw a need to establish a policy within the county to address a request of this nature.

Recommendation

The Sutter County Grand Jury recommends that the CAO establish a policy for the release of public information and the Board of Supervisors approve the policy as soon as possible to insure issues of this nature do not happen in the future.

Finding

The Grand Jury finds the potential for future harm continues to be high with no CPRA policies in place. As of December 27, 2010 a CPRA policy has not been approved by the Sutter County Board of Supervisors.

Recommendation

The Grand Jury recommends any adverse actions against an employee or their family as a result of the breach of confidentiality be forwarded to the Sutter County Sheriff's Department.

Respondents

Mr. Robert Stark, Auditor Controller
Ms. Stephanie Larsen, County Administrative Officer
Ms. Shawne Corley, Assistant County Administrative Officer
Sutter County Board of Supervisors

Criminal Justice Committee

Leo Chesney Community Correctional Facility

Introduction

The 2010-2011 Sutter County Grand Jury conducted an on site visit of Leo Chesney Community Correctional Facility (LCCCF) on October 27, 2010. The facility is located at 2800 Apricot Street, Live Oak, CA. The Grand Jury was given a tour by Paula Ford, Warden.

Discussion

The LCCCF is undergoing a transition from Cornell Companies to Geo Group. Geo Group whose corporate headquarters is located in Boca Raton, FL has merged with Cornell Companies. The transition will be unnoticeable for Sutter County and the City of Live Oak as the employees will maintain their current positions. The contract with the state of California will be unchanged.

LCCCF is the only privately owned women's minimum-security prison in the State of California and the only women's prison in Northern California. The facility houses a maximum of 318 inmates. Placements are made by California Department of Corrections and Rehabilitations (CDCR) and selected on the basis of their behavioral record.

All inmates are given educational tests in reading, math, and language skills. The reading skill level goal has recently been upgraded from 6th grade to the 9th grade level. All inmates have job assignments. Jobs are assigned to allow inmates the opportunity to develop good work habits, and attitudes that will increase their marketability when they are paroled.

Inmates assigned to LCCCF have many programs available to them including basic education, substance abuse, vocational training, recreation, hobby craft, and other programs to help them adjust to a successful life outside of prison.

The Master Gardening course is taught by apprentice Master Gardeners from the local community. The course includes training in organic composting, irrigation set-up, water conservation, seeding, crop rotation, fertilization, and plant recognition. Students are volunteers and upon successful completion of the course they are awarded a certificate. Vegetables from this program are used in the meals served to the inmates providing fresh food and financial savings.

The Off Reservation Work Assignment (ORWA) partners with the City of Live Oak to provide maintenance of parks, grounds at the community pool, lawn and garden upkeep around public buildings. Other services provided by ORWA include assisting with the distribution of food from the USDA food program. Weed and vegetation control, along with litter and graffiti removal are also included. ORWA provides the inmates with the skills and self esteem necessary to qualify for these programs when they parole. ORWA is a source of savings for the City of Live Oak.

Conclusion

The Leo Chesney Community Correctional Facility is an asset to the City of Live Oak and the inmates assigned to the facility.

The Sutter County Grand Jury would like to commend these people.

Toni Molina, Training Lieutenant

Toni has been employed for almost 11 years. She is in charge of all staff training to include, orientation, monthly, annual, on-the-job, and impromptu training. She is the direct supervisor of the watch commanders.

Bill Ayers, Maintenance Supervisor

Bill has been employed at Leo Chesney for 4 years. He is the facility's fire and safety officer. Bill maintains the smooth running of the institution by ensuring all equipment, plumbing and electrical services are functioning properly. He is in charge of the upkeep of the facility grounds and inmate work assignments in the maintenance department. Bill works with the City of Live Oak and non-profit organizations to provide wooden rocking horses, chairs, and birdhouses that are made by the inmates to be used for fundraisers.

Roy Hansen, Food Service Administrator

Roy has been employed at Leo Chesney for 14 years. Roy and his department are in charge of menu planning, food preparation and the supervision of kitchen operations. Roy also teaches a culinary arts class through Yuba Community College twice a year. Roy and his team assist many local non-profit organizations with fundraising efforts. Roy has integrated vegetables from the gardening program into the menu served giving the inmates a healthy diet and saving money at the same time.

Nicole Walters, Social Worker

Nicole has been employed at Leo Chesney for 3 years. She assists inmates with family reunification, domestic violence support, grief and loss, CPS liaison, anger management, and parole planning. She is the editor of the facility quarterly newsletter and assists all departments with Information Technology (IT) needs and questions.

Sutter County Jail

Introduction

The 2010-2011 Sutter Grand Jury conducted a visit of the Sutter County Jail on September 30, 2010. Committee members met twice with Sheriff Coroner J. Paul Parker, Jail commander Dave Samson, and Lieutenant Norm Bidwell.

Discussion

The total population capacity for the Sutter County Jail is 358. The jail population on October 8, 2010 was 214. The total number of bookings for the jail from January 1, 2010 to October 8, 2010 was 3,987. The average length of stay for October 2010 was 60 days or less.

The Jail's Minimum Security Area is undergoing an upgrade to medium security. The completion of the upgrade to medium security is at a standstill waiting for Public Works engineering department to complete the design. The bathroom-shower renovation has been completed.

The Sutter County Jail has a General Education Degree (GED) program. This program prepares inmates with no high school education to take the GED exam. A credentialed teacher teaches the classes for the GED program. The teacher is paid $800.00 a month for two, three-hour classes per week. Upon release, the inmates can take the GED exam at the Sutter County One Stop. The Education program is funded by the Inmate Welfare Fund at no cost to the county. Currently the instructor position for the GED program is open.

On January 22, 2011 at 8:29pm, an inmate classified as minimum security made an unauthorized exit through two unlocked doors secured only by alarms. The doors are kept unlocked due to fire safety concerns. The inmate proceeded across the vehicle impound yard to the barbed wire fence. The inmate put excess clothing on the barbed wire fence, climbed up and over the fence, and escaped from the Sutter County Jail. Yuba City Police took the inmate into custody approximately one week later. The inmate is now incarcerated in the Sutter County Jail awaiting reclassification.

Finding

The Grand Jury finds the Minimum Security area needs to be up-graded to Medium Security. The Sheriff's Department is currently waiting for the design phase of the facility to be completed.

Recommendation

The Grand Jury recommends the completion of the design be expedited to help prevent any further escapes from the minimum-security area.

Finding

The Grand Jury finds the GED preparation program is a necessary program that can help inmates take something positive away from their stay at the Sutter County Jail.

Recommendation

The Grand Jury recommends the Sutter County Jail hire a teacher to replace the one who resigned.

Finding

The Grand Jury finds even though the recent escape from Sutter County Jail is similar to a ”walk- away” that can take place at any time by any minimum security inmate that is detailed out in the community. This risk could be reduced by the completion of the medium security upgrade that is now in the engineering stage

Recommendation

The Grand Jury continues to recommend the completion of the medium security upgrade. Part of this upgrade includes a much higher fence and three strands of razor wire verses the barbed wire now in place, cameras inside, and outside of the building to allow staff to monitor the inmates. Even though this will not preclude an escape of this nature from ever happening again it will certainly reduce the risk.

Respondents

Sheriff J. Paul Parker
Captain Dave Samson
Lieutenant Norm Bidwell

Sutter County Department of Child Support Services

Introduction

The 2010-2011 Sutter County Grand Jury Criminal Justice Committee conducted an on-site visit of the Child Support Services Department (CSS) at 543 Garden Highway Suite A Yuba City with the Jamie Murray, Director, Martha Patchin, Assistant Director, and Steven Smith, Staff Services Manager on February 3, 2011.

Discussion

The Sutter County CSS was created in 1975 with the function of ensuring parents and guardians are responsible for providing financial support for their children. The amount of support payments are determined by court orders. The CSS was originally part of the District Attorney's office. Approximately 10 years ago, the department was removed from the District Attorney's office. In 2007, the State of California created a statewide Department of Child Support Services (CDCSS) system where all 58 counties within the state used one main system. Under this umbrella of CDCSS, the county gained wider access to absentee parent(s) and information located in other counties because all absentee parent(s) can be located in the state database.

All payments are made to CDCSS through the State Disbursement Unit (SDU) in Sacramento. Disbursements of the payments received are made to the beneficiaries from this central location. If payments are not received, disbursements are not paid and the government does not make up any shortfall in payments. Compliance with obligations is monitored by CSS from the State database.

The federal government pays two-thirds and the state government pays one-third of the administrative costs. Sutter County does not incur administrative costs for CSS.

Cases are usually initiated by referral from the welfare department or prospective recipients visiting the CSS office and filing a case. Recipients are expected to bring divorce papers, court orders, photographs of participants, social security number, names and addresses of relatives, personal identification, and any employment information.

The CSS office employs a staff of 31 employees, all with at least 10 years of experience: a Director, Deputy Director, two Child Support Attorneys, Staff Services Manager, three Child Support Specialists (supervisors), fifteen Case Managers, and eight support positions. The primary functions are initiating claims, processing claims, obtaining initial and modified court orders, and enforcement of court orders.

In the past, the functions of the department were primarily divided among the staff. Some handled initial claims (Intake), some processed claims and assisted the attorneys in obtaining court orders, and others specialized in locating participants and enforcing

collections, either directly, or through employers, liens, tax refunds, disability payments, etc. In April 2010, the workload was reorganized with every caseworker now handling all the functions of every case, with no specialization. This system necessitated extensive training of the staff. Some of this is being done as on the job training.

CSS partners with:

- The Family Law Facilitator and Commissioner
- The Yuba County CSS
- Community Connections Parolee Services
- Yuba and Sutter County One-Stops
- Sutter County Family Law Commissioner
- Probation and Criminal Justice Departments

Recent facility improvements have been made toward better security. Two new interview booths, replacing the reception glass windows with tempered glass, adding speakers, enclosing the patio area, and adding an Access Control System (security card system) all contribute to these efforts. A new office was added in an adjoining building for the Staff Services Manager and a staff training center.

The Sutter County Grand Jury received a letter of complaint concerning the Sutter County CSS regarding low morale and lack of management support and/or concern.

The Grand Jury conducted an investigation and interviewed several employees. The recent deterioration of morale are summarized below:

- Staff thrown into the new workload assignments without sufficient training
- Removal of the 9/80 work schedule without explanation to the employees All members of the staff are now working five eight hour days
- The Director and Deputy Director are perceived as non-responsive to staff concerns
- The workload was reorganized with every caseworker now handling all the functions of every case, with no specialization
- The implementation of the new state computer system requires more supervision
- The office attendance of the director is very casual, this is due in part to meetings and telecommuting

The Grand Jury interviewed the Director and her responses are summarized below:

- Employees received specialized training and receive continuous on the job training

- The 9/80 work schedule was implemented on a trial basis and found to be problematic
- Open door policy exists
- Equalization of work load and cross-training
- Computer conversion and paperless system requires continued training
- Always available by phone or e-mail

Finding

The Grand Jury finds that the morale in the CSS is extremely low.

Recommendation

The Grand Jury recommends the Director take the staff concerns more seriously and work with the employees to find solutions to improve morale.

Conclusion

The CSS is a department in flux, creating several challenges, and may require mediation to improve the morale.

The dedication and experience of the employees is evident.

The Director spending more time in the office would be beneficial to the overall attitude and morale of the personnel.

Respondent

Jamie Murray, Director of Sutter County Child Support Services

Yuba City Police Department

Introduction

The 2010-2011 Sutter County Grand Jury conducted an on-site visit of the Yuba City Police Department on October 14, 2010. The visit was conducted by the Sutter County Grand Jury Criminal Justice Committee. Committee members met with Robert D. Landon, Chief of Police, and Toni Darwazeh, Executive Assistant to the Office of the Chief of Police.

Discussion

Chief Landon and Executive Assistant Ms. Darwazeh met the Grand Jury in the Emergency/COMPSTAT room. The building, where the center is housed, was built in the early 1990's for a population of 50,000. With increasing population, the building was expanded and the remodel was completed three years ago at a ten percent savings to the original budget. The property next to the station was purchased for future expansion as the population increases.

The Police Online Citizen Reporting System is a new online program. The program is more efficient and helps cut costs by eliminating an officer being called out to take a report. This online reporting system is for non-emergency with no known suspect, misdemeanor crimes. Upon completion of this online report, a report number is issued. A Sergeant reviews the report and the final report can be retrieved online or at the station. This system allows officers to handle more emergencies and crimes in progress with quicker response times.

Beale Air Force Base (AFB) Security Forces Personnel donated a Special Weapons and Tactics (SWAT) peacekeeping vehicle to the Yuba City Police Department. Yuba City officers are trained at Beale AFB along with Beale's Security Forces.

A remote control vehicle with cameras was purchased with an $11,000.00 grant; the department is awaiting the arrival of this new piece of equipment.

Conclusion

The austere budgets of recent years have presented Chief Landon and the Yuba City Police Department with formidable challenges. The building and grounds are well maintained. The staff is professional and courteous.

Respondent

Robert D. Landon, Yuba City Chief of Police

Yuba-Sutter Juvenile Hall Camp Singer Youth Guidance Center

Introduction

On December 8, 2010, members of the 2010-2011 Sutter County Grand Jury Criminal Justice Committee conducted an on-site interview at Yuba-Sutter Juvenile Hall facilities. The purpose of the visit was to inspect the facilities and interview the Superintendent, Mr. Frank Sorgea. Mr. Sorgea gave us a brief overall picture of what we were going to view and answered questions before taking the actual tour. There are three facilities that are located at 1023 14th Street, Marysville: Juvenile Hall built in 1976, Camp Singer Guidance Center built in 2001, and The Secure Housing Unit (SHU) built in 1999.

On the tour, the Grand Jury found numerous areas that have been reported in previous Grand Jury Reports still in need of repair, replacement, or updating.

Discussion

Both Yuba and Sutter Counties support all three facilities. This year's budget is $1,897,341. This is the same amount budgeted for 2009-2010. Mr. Sorgea anticipates the same amount will be budgeted again next year. There has been a substantial decrease in funds, which prevent improvements.

The visitor's center is too small, with no separate booking area and the control room equipment is outdated.

As in previous Grand Jury reports, the cell doors are deeply engraved with graffiti and cell windows still need to be updated and/or replaced.

Juvenile Hall is an interim confinement facility that houses young minors until a determination on their release can be made. The hall has 45 beds for temporary detention.

Dr. Joe Cassady and nurse, Roberta D'Arcy are on staff and a mental health therapist is available when needed. New arrivals receive a complete medical/physical examination within two days of entering the YSJH. Dr. Cassady donates his time/services and put together a coalition of area resources to furnish a laser machine, at no cost to the counties, to use in the removal of gang tattoos.

When the Wards are going to be there for a longer period of time, they may be sent to Camp Singer Youth Guidance Center, which is a correctional detention facility for boys and girls for ages, 13 thru 19. The camp has a 48-bed boys' dorm and a 12-bed dorm for the girls. Here at Camp Singer they may spend up to a year. They attend California State Curriculum studies daily, keep fit in the gymnasium, learn to eat, dress, listen, work-skills, leadership, etc. They spend sixteen hours a day in programs, schooling, and projects.

Camp Singer also has psychological and psychiatric services that are provided by their full time licensed therapist. Chemical dependency issues are addressed by California Association Alcohol Drug Abuse Counselors (CAADAC), licensed counselors who provide both group as well as individual programs. All wards go through this program. This is the only program of this type in the area.

These facilities were originally built for Yuba and Sutter County minors and are now open to other counties. Currently, YSJH have contracts with Placer, Calaveras, and Tuolumne Counties and generate revenue of approximately $3,500 per month/per minor. The goal is to return the wards to the community as responsible, productive, and chemical-free individuals.

The third facility, SHU has 15 beds and has not been used in several months. SHU is designed to house the violent wards, determined by the severity of the infraction.

The three facilities are capable of housing 120 wards.

Finding

The Grand Jury finds the visitor's center is too small, with no separate booking area.

Recommendation

The Grand Jury recommends updating/enlarging the visitor's center by separating the booking and receiving areas when funds become available.

Finding

The Grand Jury finds the control room equipment is outdated.

Recommendation

The Grand Jury recommends modernizing the control room equipment when funds become available.

Finding

The Grand Jury finds the cell doors are deeply engraved with graffiti.

Recommendation

The Grand Jury recommends replacing the cell doors when funds become available.

Finding

The Grand Jury finds that cell windows need to be replaced.

Recommendation

The Grand Jury recommends replacing the cell windows when funds become available.

Respondents

Mr. Frank Sorgea, Superintendent of Institutions
Yuba-Sutter Juvenile Hall/Camp Singer Youth Guidance Center

Education Committee

Sutter County Superintendent of Schools

Introduction

On October 13 and October 27, 2010, members of the 2010-2011 Sutter County Grand Jury conducted visits of the Sutter County Superintendent of Schools located at 970 Klamath Lane, Yuba City, CA 95993.

Committee members met with Ms. Kathleen Hansen, Acting Superintendent of Sutter County Schools and Ms. Linda Protine, Chief Business Official.

Discussion

The Sutter County Superintendent of Schools office is a service provider and carries out State Law. California consists of 58 counties and is the only state that has a Commission of Teacher Credentials. The Sutter County Superintendent of Schools office does the monitoring and ensuring of proper credentials of every teacher. There is a Beginning Teacher Credentialing Program called Beginning Teacher Support and Assessment (BTSA). This program pairs a Participating Teacher (PT) with a Support Provider (SP). The PT is a teacher in his/her first or second year of teaching and the SP is an experienced and successful teacher who wants to support PT's. BTSA program is to provide an effective transition into teaching, improve student performance, ensure the professional success and retention of new teachers. For curriculum adoption and implementation, the teachers choose which books to use for class. Charter Schools develop their own policy and procedures, but must meet certain criteria for what the students must learn. Administrative Positions benefit students, teachers, and the school as a whole.

The Sutter County Superintendent of Schools ensures that every campus is maintained in a safe manner. To ensure safety, federal monies were used to install radios in every school in case telecommunications go down.

Sutter County Superintendent of Schools has fiscal oversight of twelve school districts and four charters. The Sutter County Superintendent of Schools received approximately five percent more than they thought they would, but that is still approximately ten percent less than in 2008. Every school is required to conduct an annual independent audit. If a school does not hire an auditor by a certain date, the Sutter County Superintendent of Schools Office will hire an auditor for them.

Sutter County Superintendent of Schools Sutter County One-Stop (formerly Career Training and Education Center) opened its door in March of 1984 as a result of funding received from the Job Training Partnership Act. Sutter County One Stop empowers individual self-sufficiency through education, training, jobs, and partnerships with the community, employers, and agencies to provide increased opportunities for success.

The Sutter County Superintendent of Schools office plays an important role in the

delivery of quality education to the students of this county. Instructional programs are infant programs, special education, vocational/occupational, outdoor science, and alternative education. The County Office provides these services to district students through cooperative agreements among the participants.

There are five Educational Programs

Career-Technical Education: This is the Tri-County Regional Occupational Program (ROP). Tri-County ROP provides these programs in Colusa, Sutter, and Yuba Counties. Areas of the 2010-2011 Tri-County ROP Courses are:

- **Agriculture/Natural Resources**
- **Arts/Media and Entertainment**
- **Building Trades and Construction**
- **Education/Child and Family Services**
- **Engineering and Design**
- **Finance and Business**
- **Health Science/Medical Technology**
- **Hospitality, Tourism, and Recreation**
- **Information Technology**
- **Manufacturing and Product Development**
- **Marketing, Sales, and Service**
- **Public Services**
- **Transportation**

Tri-County ROP provides students with high quality instruction directly related to a career goal. The Tri-County ROP is part of a system that links guidance, counseling, education, training, and employment. Tri-County ROP is not just for high school students, Tri-County ROP is open to any community member sixteen years of age or older. Under certain circumstances, fifteen year olds are also eligible. Classes are held at high school campuses and other locations throughout the Tri-County area.

Alternative Education: This program has three separate programs.

- **Community School Program:** This program serves students who have been expelled by their local districts, referred by the Probation Department, or referred by the School Attendance Review Board (SARB). This Program serves grades seven through twelve, and offers both in-class and independent study options.

- **Opportunity School Program:** This program serves seventh through ninth grade students who have difficulty with behavior, attendance, and/or academics.

- **Adult Education:** This program serves the adult population of the local high school districts offering courses in basic education, completion of high school diploma, and a variety of other classes designed for adults.

Special Education: This program has eleven separate programs.

- **Infant Program:** This program is for zero to three years old with disabilities. The program provides early educational services for Yuba and Sutter Counties. The goal is to provide appropriate educational interventions which may include language and speech, occupational therapy, direct and indirect teacher support, and nurse interventions.

- **Preschool Intervention Program (PIP):** This program is for children three through five years old who do not require intensive special education services. This program is for the development of cognitive, physical, language and speech, social-emotional, self-help, and pre-academic skills.

- **Multiple Severely Handicapped (MH):** This program provides services to students who have multiple severe disabilities. This program is for development of communication, mobility, social, and independent daily living skills.

- **Severely Handicapped (SH):** This program is for students with moderate to severe developmental disabilities that focuses on the development of functional skills in the areas of self-help, independent living, vocational, recreational, and communication.

- **Emotionally Disturbed (ED):** This program provides an intense therapeutic environment in the educational setting to students who are not succeeding due to emotional issues.

- **Deaf and Hard of Hearing (D/HH):** This program is for the development of language, communication, academic, and social skills for students who are deaf or hearing impaired.

- **Autism Spectrum Disorders (ASD):** This program is to focus on academics, behavior, social skills, and development of language and communication for students who fall in the Autism Spectrum.

- **Non-Categorical (NC):** The program focuses on development of language, communication, academic, and social skills. The program is for students not succeeding educationally and qualify for special education under at least one of thirteen handicapping conditions.

- **Resource Specialist Program (RSP): S**tudents receive specialized instruction for part of the school day with necessary accommodations in order

to access the school curriculum for those who have specific learning disabilities.

- **Language and Speech Services:** This program is provided to students who have an identified language or speech disability in articulation, receptive and/or expressive language, fluency, and voice at school sites and within county-operated programs.

- **Psychological Services:** This program includes assessment, counseling, and development of behavior plans or functional behavior analysis to students who are being assessed for special education services and to those identified with a handicapping condition.

Every school district must provide the services listed above. If this is cost prohibitive, the school district pays a portion of it and the county provides the rest.

Intervention & Prevention Programs (IPP): IPP provide professional development, technical assistance, direct student services, and instructional materials to local and regional audiences. IPP and services focus on drug-free, alcohol-free, violence prevention education, healthy lifestyles, and other areas of youth development. If a student is expelled due to drugs, gangs, or weapons; the Sutter County Superintendent of Schools Office provides an alternative school "Feather River Academy". There, the students can complete their schooling and graduate.

Outdoor Education: Sutter County Superintendent of Schools operates the Shady Creek Outdoor School Program. For 40 years, the students would go to Woodleaf; just recently, it was switched to Shady Creek Outdoor School Program, which runs from September through November and February through May. Each year over 4,000 students from six counties attend the five day outing. The goals are:

- Address core science standards
- Promote a sense of caring for oneself, others, and the community
- Increase students' enthusiasm for learning
- Heighten observation skills to more fully observe and appreciate the beauty and diversity of the natural environment
- Promote a feeling of personal responsibility to help preserve, conserve, and enhance our environment
- Promote cooperation among all students

The Shady Creek Outdoor School Program is a non-profit program and is offered to fifth and sixth graders. Every student can go. The cost is approximately $216.00 per student.

Sutter Union High School

Introduction

On November 4, 2010, members of the 2010-2011 Sutter County Grand Jury conducted a visit of the Sutter Union High School located at 2665 Acacia Street, Sutter, CA 95982.

Committee members met with Mr. Ryan Robison, District Superintendent/Principal of Sutter Union High.

Mr. Jedsen Nunes is the Vice Principal and Ms. Francesca Ehrk is the Director of Guidance of Sutter Union High.

Discussion

Sutter Union High is in its 118th year. The original school ran from 1893 to 1913.

Graduation requires 250 credits. Every year each student is offered the opportunity to earn up to 70 credits. Students are provided the opportunity to enroll in one year of Vocational Education through the Regional Occupation Program (ROP). ROP is a vocational education program offered in the Tri County (Yuba, Sutter, and Colusa) area. This program is administered through the Sutter County Office of Education. For off campus ROP classes, bus service is provided to both the Yuba City High School and Marysville High School campus. ROP courses offered at the Yuba City High School campus include Retail & Finance, Auto Body Repair, Automotive Technology, Construction Management, Law Enforcement, and Early Childhood Careers. ROP courses offered at the Marysville High School Campus include Dental Assisting and Hospital/Community Health Services.

Sutter Union High School offers Drivers Education. Due to budget cuts, for the first time, student payment is required. The cost is between $130.00 and $150.00. Underprivileged students can work to earn the cost of participation. This consists of numerous light duty tasks, such as Aides in the Library or assisting with the Art and Athletic Teachers. Sutter Union High School employs three certified Drivers Education Teachers and utilizes vehicles owned by the school.

The school employs one full time Counselor and one Academic Teacher who work with the students for all four years to plan their course of study. In 2011-2012, Sutter Union High School will also be starting up a Peer Counseling group and class. Approximately 87% of the students who graduate from Sutter Union High School go on to attend two and four year colleges.

Sutter Union High School has completed construction of a new two story building on the campus. In the new building, there are ten classrooms: eight upstairs and two downstairs. The new building also has a 40-station computer lab, a large conference room, a small conference room, computers for research and docking stations for laptops. Additionally

the new building has a secondary function where meetings can be held at night. The upstairs classrooms have overhead projectors that are laptop compatible. In case of an emergency, each room is equipped with an evacuation map/route and a magnetic device for holding the doors open during evacuation. The school held evacuation and earthquake drills with success. For security purposes, cameras are used inside and outside of the new building. The building was planned and erected within the budget. Sutter Union High School achieved savings by opting for a two-story design. The Library/Computer Lab cost approximately $4.2 million; a one-story building would have cost a projected $7 million. To save money they also are using the old computers until new ones are needed.

Sutter Union High School is now in the construction-staging phase for the addition of a full service cafeteria. The students enrolled in the Construction and Drafting classes will be able to see their curriculum put into practice by observing the new construction process. In addition, Sutter Union High School has also completed construction of a new Agricultural classroom and has plans to begin construction of a new gymnasium sometime in 2011.

Fire and Emergency Committee

Office of Emergency Management

Introduction

The 2010-2011 Sutter County Grand Jury conducted visits to the Sutter County Office of Emergency Management (SCOEM).

The Sutter County Grand Jury's Fire and Emergency Committee conducted the visit. Committee members met with John Debeaux, Emergency Operations Manager on February 1, 2011.

Discussion

The Emergency Management Division has major responsibilities in protecting life and property and assuring the overall well being of the County's residents. It prepares and maintains emergency plans and conducts training programs. This includes exercises to respond to routine incidents, such as hazardous materials releases, major calamities, floods, and major transportation accidents. Mr. Debeaux gave the committee a briefing on the ability of Sutter County to respond to a disaster. We were briefed on how all county agencies would work together at the Emergency Operations Center (EOC).

The SCOEM is a very busy Sutter County Dept, with only one paid employee, Mr. Debeaux. This staffing level appears unsustainable for the long run. Currently, all Sutter County departments have their own emergency plans. Mr. Debeaux is in the process of consolidating the County Emergency Operations Plan. The projects and reports that are required by the Federal, State, and local governments leave very little time to do long range planning.

After the briefing with Mr. Debeaux, we visited the EOC in the community of Sutter and toured the facilities. The EOC has desk space and communication equipment for all emergency service team members. Aspects of the EOC were demonstrated including communication systems. Parking around the facility is designated for Mobile Emergency vans and buses from other public agencies in time of emergency.

The EOC has emergency power supplied by a propane-powered generator. Telecommunications provided by Comcast Cable Company allows EOC during time of emergency to view the other counties and the State EOC’s to coordinate emergency efforts.

Finding

The Grand Jury finds there is no consolidated County Emergency Operations Plan.

Recommendation

The Grand Jury recommends Mr. Debeaux make it a priority to complete a consolidated plan and provide a copy of the completed Sutter County Emergency Operations Plan to all city and county departments.

Finding

The Grand Jury finds the emergency power supply only runs on one type of fuel.

Recommendation

The Grand Jury recommends adding a second fuel capability to the Emergency power supply for the EOC.

Finding

The Grand Jury finds that cable is the only form of telecommunications.

Recommendation

The Grand Jury recommends installing a second source of telecommunications.

Finding

The Grand Jury finds that no utility and sewer hook ups exists for mobile emergency service vehicles.

Recommendation

The Grand Jury recommends EOC provide utility and sewer hook ups for mobile emergency vehicles.

Respondents

Mr. John Debeaux, Manager, Office of Emergency Management
Sutter County Board of Supervisors

Twin Cities Rod and Gun Club

Introduction

The 2010-2011 Sutter County Grand Jury conducted a visit of the Twin Cities Rod and Gun Club located at 68 Second Street, Yuba City CA.

The visit was conducted by the Fire and Emergency Services Committee. Committee members met with Kelvin Williams, Head Range Master for the club.

Discussion

The Twin Cities Rod and Gun Club is an all-volunteer non-profit organization that was established in 1938. The current officers for the club are President Troy Lindsey, and Treasurer John Farnham. The club also offers a Junior Rifle Program headed by Allan Jaynes and Ned Lemenager.

There are currently 130 members in the club. The club has eight National Rifle Association (NRA) certified Range Masters. The NRA recently conducted an inspection of the range and found that the range is well managed and safety is paramount. The Outdoor Range is open to the public on Saturdays and Sundays from 9AM to 1PM. The range is closed on the second Saturday of the month for range maintenance. An Indoor Range is located at 1125 Market Street. Fun shoots occur every first and third Friday of the month from 7PM to 9PM. This range is limited to air guns or firearms firing .22 caliber rimfire standard velocities. The range is open to club members only.

Membership in the club is listed below:

Annual Dues:

- Member - $55
- Immediate Family Plan - $100 (includes mom, dad, and kids under 18 living in same home)
- Active Duty - $50 (Firemen, Law Enforcement, Military)
- Retired Active Duty - $40
- Senior (60+) - $40

There are several opportunities for citizens of Sutter County to get involved in a safe and fun shooting experience at the club. A partial list of activities being offered are a Civilian Marksmanship Program (CMP) Fun Shoot/High Power Shoot, a Smallbore Pistol League, a Centerfire Bullseye League, and a Smallbore Funshoot. The Twin Cities Rod and Gun Club offers a concealed carry weapon (CCW) class each month. Classes are taught by NRA certified instructors. The club is also exploring the establishment of an archery range on an unused portion of the site. More information on the club and activities offered can be found at **http://www.twincitiesgunclub.com**

Finding

The Grand Jury finds the Twin Cities Rod and Gun Club leases the site from Sutter County on a recurring yearly contract.

Recommendation

The Grand Jury recommends that the Board of Supervisors negotiate a lease for a 5-year period. By providing a 5-year lease, the club will be able to set long-range goals for the expansion of the club.

Conclusion

The Committee finds the Club staff to be highly motivated and skilled.

Respondents

Sutter County Board of Supervisors
Troy Lindsey, President, Twin Cities Rod and Gun Club

Health
And
Mental Health
Services Committee

Sutter-Yuba Mental Health Services

Introduction

The 2010-2011 Sutter County Grand Jury attended a tour of the Sutter –Yuba Mental Health Services (SYMHS) facility, which is located at 1965 Live Oak Boulevard in Yuba City, CA 95991.

The tour was conducted by the Mental Health and Social Services Committees on October 22, 2010. The Committees met with Dr. Bradford Luz, PhD, Director of Sutter-Yuba Mental Health Services and representatives from the Department's various programs. Each representative gave a presentation describing the operations of the program or service they represent.

Folders containing information on Mental Health Services, Group-Based Support Classes, and the various Mental Health Programs the county provides for elders, adults, adolescents, and children of both Sutter and Yuba county residents were provided to each Juror.

Discussion

SYMHS is the only Bi–County Mental Health Service facility in the State of California. It is a division of the Sutter County Human Services Department and provides services to both Sutter and Yuba County residents (through a joint powers agreement). As of November 29, 2009, Psychiatric Emergency Services require fees after the initial visit. Fees for all other mental health services are based upon the client's ability to pay. They accept most medical insurance, Medicare and Medi-Cal.

Eligible Medi-Cal beneficiaries have a full range of specialty mental health services, which SYMHS oversees. Medi-Cal Mental Health Services provides a *Guide to Beneficiaries* who are eligible for Medi-Cal. It shows what SYMHS offers and how to obtain services.

SYMHS administers Psychiatric Emergency Services (PES), which provides Welfare, and Institutions code 5150 evaluations. People are admitted either two ways, on an involuntary hold (5150 hold) or voluntarily. PES serves the public, law enforcement agencies, schools and Rideout Emergency Room when patients are suicidal or have acute psychiatric problems. The chronically mentally ill of Sutter and Yuba Counties are encouraged to use the services of PES as needed for support or evaluation of acute symptoms. Children who meet the 5150 criteria are placed in various Northern California hospitals.

Group-Based Support at SYMHS offers several classes, which include therapy, skill building, and peer support. Therapy classes are led by a licensed staff member and focus on a specific topic and classes run for 8, 12, or 16 weeks. Skill building classes are led by professionals with experience in the treatment of mental health and/or substance abuse

disorders. The focus of the class is to prepare participants for successful employment and independent living. The peer support classes are led by an individual or group of individuals who have personal experience with or a common interest in mental health and/or substance abuse recovery. Peer support is one of the ten core "Components of Recovery" the U.S. Department of Health and Human Services has identified.

The following briefly explains some of the programs SYMHS has available to the citizens of Sutter and Yuba Counties:

Bi- County Elder Services Team (BEST) is a program that provides mental health services to older adults 60+ with psychiatric disabilities who may be physically or geographically isolated, and determined to be un-served or underserved residents of Sutter or Yuba counties. BEST works in collaboration with individuals, their families, social service agencies, public health, the medical community, senior centers, law enforcement, and senior housing entities. Their primary mission is providing assistance and access to mental health services to maintain their highest level of independence. For more information on the BEST program, call 530-216-4543.

Options for Change is a drug and alcohol program that provides treatment for substance abuse. There are two main ways that individuals can access this service. Individuals may be self-referred and/or be referred by an agency. The other is by the Criminal Justice System (i.e. PC 1210, PC 1000 Deferred Entry of Judgment, Child Protective Services and Drug Court). This alcohol & drug program provides a client-centered, outcome-oriented, integrated, and cost effective delivery of service. Staff members help individuals to "find the light" of hope resulting in more options for change necessary to achieve a clean and sober lifestyle. For more information on the Options for Change program, call 530-822-7200.

First Steps is a recovery program for pregnant women or women with young children with substance abuse issues. First Steps offers a sixteen-week program followed by a minimum of sixteen weeks continuing care. Childcare and transportation is provided. For more information on the First Steps program**,** call 530-822-7263.

Sutter-Yuba Children's Systems of Care is a program that coordinates efforts of several county agencies, notably Probation, Child Protective Services, the Schools, and Mental Health, to provide a single plan for the intensive services that are required to keep children in the most natural and least restrictive setting as possible. Each family participates in the process of planning and assessing the services they receive and signs a contract regarding their goals. Sutter-Yuba Children's System of Care delivers services with cultural sensitivity within the context of daily life, in the home, schools, and the community. Families are expected to focus on building their family relationships and parenting skills so that their children can safely stay at home and attend school. For more information on this program and other programs Children's System of Care provides, call 530-822-7478.

Mental Health Ethnic Outreach and Engagement Program is a program SYMHS serves to Latino, Asian Indian, and Hmong populations within our community. The program goals include enabling participants to obtain and maintain positive social connections; to have access to culturally appropriate, integrated mental health and drug/alcohol treatment. For a consultation or assistance with the Ethnic Outreach Engagement Program, they can be reached by calling the following numbers: Asian Indian call 674-1885 ext 110, Latino adults call 822-7200; for children's services call 822-7513 and for Hmong call 822-7200.

Homeless Program Open Door is a program operated by the Salvation Army and is designed to help meet the needs of adults with severe mental disabilities, who are homeless or are at risk of being homeless. The Wellness Recovery center provides them with a safe place to spend their days. The participants also receive transportation to doctor appointments, and other local sites. Referrals to this program are from SYMHS through Community Supportive Services. For additional information, please call 530-216-4530.

SYMHS has numerous diverse programs that support all ages and ethnic backgrounds. Most programs are designed to promote healthy independent living, keeping families united and promoting positive resources and networks for the community.

For more information on the programs SYMHS offers, you can call 530-822-7108 or the Sutter County Network of Care Web site at:

http://sutter.networkofcare.org/mh/home/index.cfm

County Mental Health Web site at:

http://www.co.sutter.ca.us/doc/government/depts/hs/mh/hs_mental_health

Planning and Environment Committee

Sutter County Environmental Health Division

Introduction

The 2010-2011 Sutter County Grand Jury conducted a visit of the Sutter County Environmental Health Division on October 21, 2010 in their office on Civic Center Blvd, Yuba City.

The visits were conducted by the Planning and Environmental Committee. Committee members met with Mr. Jeff Williams, Environmental Health Manager and Mr. Sukh Sahota, Supervising Environmental Health Specialist from the Environmental Health Division.

Discussion

The Environmental Health Division consists of organized activities undertaken to protect and enhance the public's health through the control of potentially harmful materials, organisms, energies, and conditions in the environment. Environmental Health services and programs include food, housing and institutions, water oriented recreation, safety, vector control, waste management, water supply, air sanitation, land development and use, and related services and programs as required by the Board of Supervisors. Although vector control is part of this department, they currently do not have a specialist on staff.

The Division has countywide responsibility for on-site sewage disposal, water wells, monitoring wells, small water systems, land use planning, retail food facilities, public swimming pools, and code compliance.

The Environmental Health Division has eight positions authorized of which one is vacant. The personnel staff issues more than 1,200 permits a year in the above listed areas. Within these areas there are 13 sites related to the Certified Unified Program Agency (CUPA) that the Division has been tasked to implement.

The County CUPA is the local administrative agency that coordinates the regulation of hazardous materials and hazardous wastes in the county through the following six programs:

Hazardous Waste (HW)
Underground Storage Tank (UST)
Aboveground Petroleum Storage Tank (APST)
Hazardous Materials Disclosure (HMD)
Business Emergency Plan (BEP)
California Accidental Release Prevention (CalARP)

Each of these 13 sites are inspected and their programs are reviewed and licensed each year by the Environmental Health Division.

There are approximately 449 food facilities and 111 recreation health sites in the county that the division inspects and issues permits for continued operation yearly. All new food establishments locating in the county must submit plans to be reviewed and approved by the Environmental Health Division.

There are 13 State Small Water Systems located within the county that are inspected to ensure these systems meet California standards and re-licensed each year. There are also 16 Septic Pumper sites within the county that the Division inspects to review response plans and re-licensed on a yearly basis. Disposal sites in the county are inspected for septic tank, grease trap and sump wastes to ensure that the sites are operating within county and state regulations.

Sutter County Planning Services

Introduction

The 2010-2011 Sutter County Grand Jury Planning and Environment Committee met with Ms. Lisa Wilson, Planning Division Chief, Steve Gieger, and Doug Libby, County Planners, on September 23, 2010.

Discussion

Ms. Wilson provided a briefing on what services the Planning Division provides to the citizens of Sutter County. Her Division has the primary responsibility in administering the County's land use policy. The Division also provides recommendations to the Board of Supervisors and Planning Commission on land-use policy issues. General plan and zoning applications, land divisions, use permits, and other development related requests are services that her Division provides.

Doug Libby, Senior Planner provided an update on the Sutter Point Specific Plan. This Plan will provide 7,500 acres of land for the development of an eventual city in south Sutter County. Approximately 2,900 acres of land will be dedicated to residential neighborhoods, 3,500 acres of land for commercial employment, and 1,000 acres for public and open land, schools, and community services. The developer will pay for all infrastructures for the project. No County funds will be used to help with infrastructure. Services, including water, sewer and electrical, will be provided for by existing area companies.

Steve Geiger, County Planner, spoke about the General Plan for Sutter County. He stated that the plan is a long-range policy document that sets forth broad goals for the growth and conservation of the County. It addresses land use, agricultural resources, housing, infrastructure, public services, environmental resources, safety, and noise. The General Plan will provide the direction for managing land use change in Sutter County for the next 15 to 20 years.

The existing General Plan was last updated in 1996. The Planning Division has been reviewing the Plan for three years and has held several workshops with the citizens of Sutter County in order to gather feedback that can be included in the Plan. The Environment Impact Report has been completed and is posted on the County Planning Divisions web site. After the Planning Division addresses any responses to the Environment Impact Report, the Plan will be presented to the Board of Supervisors in the spring of 2011 for approval.



Exhibit A

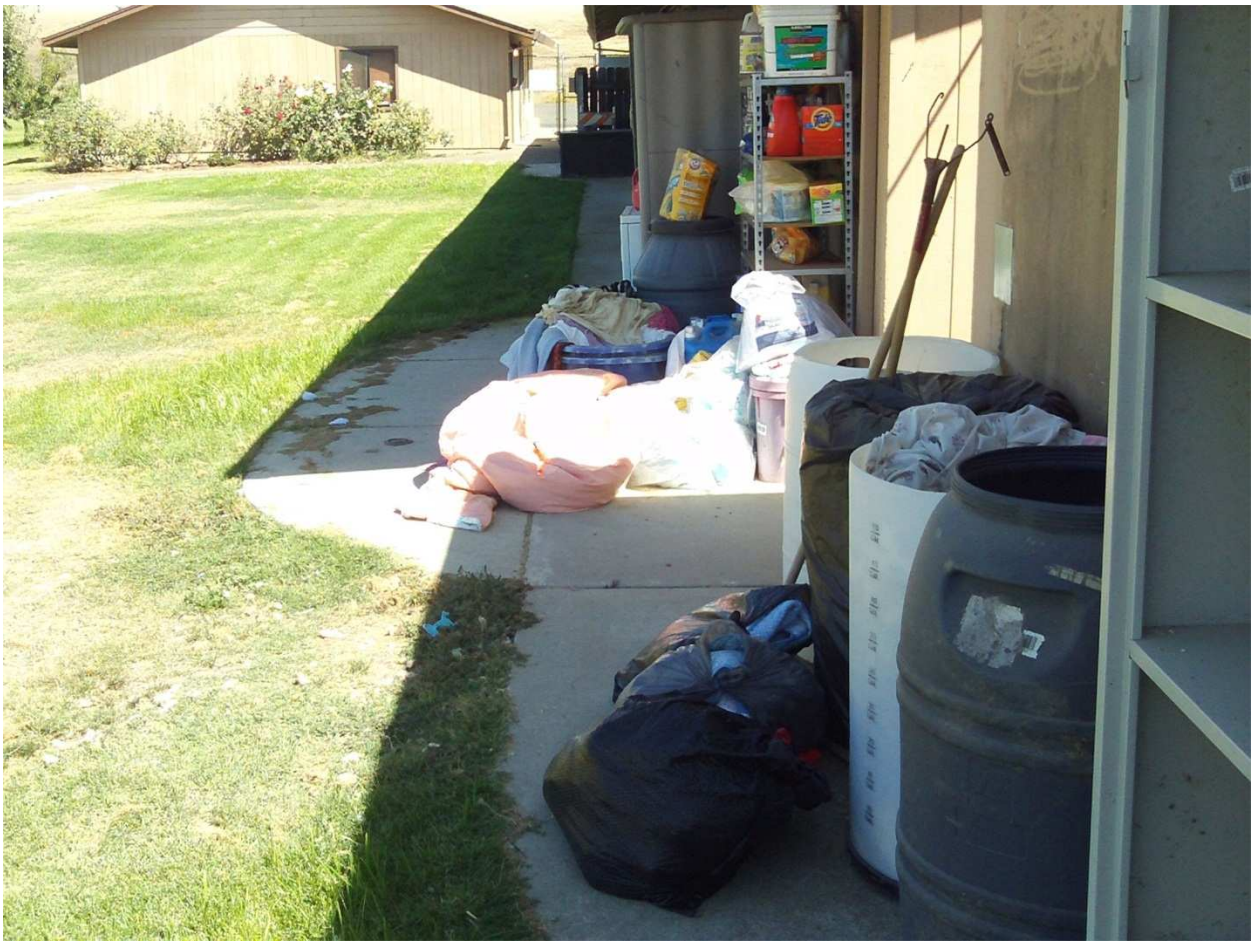


Exhibit C



Exhibit D

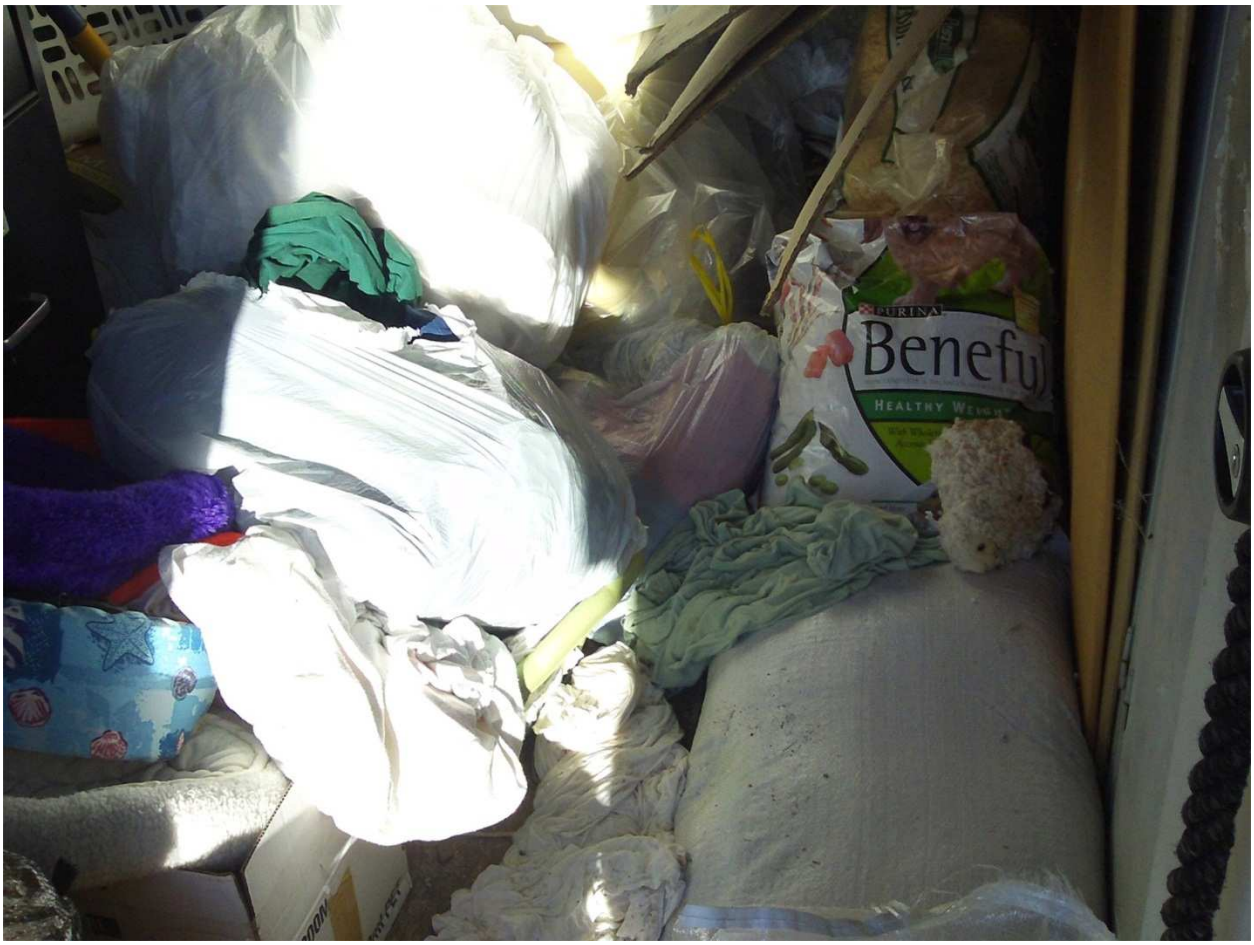


Exhibit E



Exhibit G



Exhibit H



Exhibit J

ENDORSED FILED

APR 21 2011

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER
CLERK OF THE COURT
By JACKIE LASWELL Deputy

Report
Of the
2010-2011
Sutter County Grand Jury

Rebecca Jennings-Foreperson, Bob Benton, Carol Guidera, Dale Palmer, Don Pope, Glen Davis, Hal Beeso, Harjeet Singh, Jimi Hans, Karen LaRose, Linda Peterson, Megan Saavedra, Nancy Romero, Sue Countryman, Tammie Putman, Theresa McFall, Tom Bethards, Vera Crabtree

Final Report [pursuant to Penal Code 933 (a)] on subject:
Sutter County Animal Control Shelter

Rebecca L. Jennings

Rebecca Jennings,
2010-2011 Foreperson

April 12, 2011

Date

Pursuant to Penal Code Section 933(a), the Presiding Judge makes the finding that the foregoing report is in compliance with the Title 4, Chapter 3 of the Penal Code ("Powers and Duties of the Grand Jury").

CJ Chandler

Honorable Christopher Chandler, Presiding Judge
Superior Court of California, County of Sutter County

4-12-11

Date

Public Buildings And Properties Committee

Sutter County Animal Control Shelter

Introduction

The 2010-2011 Sutter County Grand Jury conducted a visit to the Sutter County Animal Control Shelter. This visit was conducted by the County Government Committee. Committee members met with the Animal Control Supervisor, Cheryl Bohannan, and the Assistant Director of Community Services, Randy Cagle. Subsequently, the Grand Jury members visited the Animal Control Shelter on several other dates.

In order to conduct a proper investigation, we requested a copy of the Animal Shelter's Policy and Procedures Manual. In addition, we requested reports from the Chameleon computer program which is an integrated shelter software case management system for the entire animal control facility which includes: animal intake/animal health evaluation, animal adoption, animal death, owner recovery, and the Animal Control Officer Activity Report. During our initial visit, the Assistant Director of Community Services provided us with a copy of CITYGATE ASSOCIATES LLC; "Management Review for the Sutter County Animal Control Division" dated August 31, 2007, and Sutter County Animal Services Report dated October 4, 2010. During the investigation, we were made aware that CalOSHA had conducted an inspection on September 30, 2010. We requested and received a copy of the CalOSHA inspection report.

Discussion

The 2010-2011 Sutter County Grand Jury investigated a citizen's complaint of alleged government inaction concerning the Sutter County Animal Control Shelter. The Grand Jury interviewed numerous individuals, both directly and indirectly associated with the Shelter.

In February 2007, the Sutter County Community Services Department recommended to the Board of Supervisors that a study of the Sutter County Animal Control Division by CITYGATE ASSOCIATES LLC be conducted. In March 2007, the Board of Supervisors approved the expenditure of County funds for CITYGATE ASSOCIATES LLC to complete the study. From March 2007 through July 2007 CITYGATE ASSOCIATES LLC conducted a management review of the Shelter. On August 31, 2007, an Executive Summary was presented to the Community Services Department. Sutter County was billed $55,775 for this study. (See Exhibit N, CITYGATE ASSOCIATES LLC 2007 Report)

After the County Government Committee's initial visit, the Grand Jury was given a copy of the CITYGATE ASSOCIATES LLC Management Review. The objective of the CITYGATE ASSOCIATES LLC Management Review was to analyze the policies, procedures, management and operations of the Animal Control Division and to make recommendations for improving the service provided by the Division to the citizens of Sutter County and to examine and make recommendations relative to the replacement of the current Animal Shelter. The recommendations were listed in an Action Plan with a

timeline ranging from immediate, three months, six months, nine months, one year, and two years.

The Grand Jury used the CITYGATE ASSOCIATES LLC Management Review during its investigation to determine if any of the recommendations suggested by CITYGATE ASSOCIATES LLC were implemented. **Our report will show that few recommendations were implemented**.

While conducting our investigation, the Grand Jury was made aware of other problems; some of them long standing, which seem endemic at the facility. County employees, past employees, and professionals in animal care and the community at large all recognize the need for change in this County Department and express hope that the Board of Supervisors will step forward to exercise their oversight responsibility.

It should be noted that in the CITYGATE ASSOCIATES LLC Management Review dated August 31, 2007, the following observations were made; "Citygate observed an abnormally large number of Shelter deaths in the course of our examination of animal impound and disposition records. There should be only a small number of unexplained in cage deaths in a Shelter. The County needs to take immediate steps to determine what is causing these deaths.
We suggest that Dr. Richard Bachman DVM, President of Shelter Medicine Support, or Dr. Kate Hurley DVM, Director of Shelter Medicine, School of Veterinary Medicine, University of California at Davis be contacted for consultation. Citygate will assist in setting up these contacts should the County want our assistance in this area."

The current Animal Shelter was constructed in 1986. Increased population in Sutter County over the years has left the Shelter too small for the volume of cases it handles. The Shelter is in a state of serious disrepair. The Shelter is constructed of wood frame, concrete block, and sheetrock walls on a concrete pad. The walls and concrete flooring were not properly sealed. This has allowed the walls and flooring to become saturated with urine and harsh cleaning chemicals.

The Animal Control program is a branch of the Community Services Department and provides animal control services for the unincorporated area of Sutter County, the City of Live Oak, and the City of Yuba City. The Animal Control branch is responsible for:

- Leash law enforcement
- Dog licensure
- Dog bite investigations
- Investigation and prosecution of animal cruelty cases
- Rabies vaccination clinics
- Animal Shelter services
- Community education and outreach
- Dead animal removal and disposal
- Euthanasia and disposal of unwanted and/or diseased animals

Staffing consists of the Animal Control Supervisor III, Senior Animal Control Officer II, five Animal Control Officer 1 positions, one Kennel Attendant position, and two Office Assistants.

The Shelter also utilizes three low-risk inmate-trustees from the Sutter County Jail. These inmate-trustees perform such duties as feeding animals, cleaning cages, and maintaining the landscape seven days a week. Typically, one Animal Control Officer 1 remains at the Shelter to perform kennel attendant duties and supervise the inmates at the Shelter while the other two Animal Control Officer 1's work in the field responding to calls. Three days a week there is only one Animal Control Officer 1 on duty to respond to calls. In addition to handling domestic animals, the officers respond to livestock, rabies-related animals, and wildlife issues.

Due to the deplorable conditions of the Sutter County Animal Shelter, the Grand Jury following the recommendation of the CITYGATE ASSOCIATES LLC report, contacted the UC Davis Koret Shelter Medicine Program Director, Dr. Kate F. Hurley, DVM, MPVM, Director, Koret Shelter Medicine Program, http://www.sheltermedicine.com/, UC Davis Center for Companion Animal Health for an evaluation of the Shelter. (See Exhibit L, UC Davis Koret Shelter Medicine Report)

The UC Davis Koret Shelter Medicine Program was established in 2001 due to millions of animals dying in Shelters each year; often as a result of preventable illness. The UC Davis staff collectively has 300 years of Shelter medicine experience. The UC Davis Koret Shelter Medicine Program is the first university-based program in the world, and remains a recognized leader in this emerging field. They bring unparalleled familiarity with every aspect of Shelter animal health care from both a practical and scientific perspective. They have visited and advised hundreds of Shelters and animal welfare organizations representing program of all sizes, budgets, and philosophy.

They have performed in-depth consultations with shelters throughout the United States, independently and in partnership with other organizations including the American Society for the Prevention of Cruelty to Animals (ASPCA), American Humane Society, and other university veterinary school Shelter medicine program. Consultation emphasis has included outbreak management, facility design, population management and planning, and overall Shelter health evaluation. The UC Davis Koret Shelter Medicine Program focuses on issues directly related to animal health, with "health" broadly defined to include all aspects of facility design and management that significantly impact mental and physical wellness of Shelter animals.

The purpose of this visit was to only identify problems and issues within the Shelter. The UC Davis Koret Shelter Medicine Program team consisted of Dr. Hurley and three Veterinarians from the program. The UC Davis Koret Shelter Medicine Program team evaluated the operation of the Sutter County Animal Shelter. During the visit the UC Davis Koret Shelter Medicine Program team observed cleaning, feeding, trustee duties, euthanasia, policies and procedures, intake of surrendered animals from the public, data in the Chameleon program, management, safety issues, and training. The UC Davis Koret

Shelter Medicine Program team presented their findings to the Grand Jury on March 11, 2011.

Overall assessment by the UC Davis Koret Shelter Management team shows that the absence of clear policy, protocols, and decision making processes are causing unnecessary expense, overcrowding, illness, public health risk, liability, animal suffering, and needless loss of life. This leads to inhumane and unsafe conditions for the staff, inmate-trustees, citizens, and animals. There is minimal or no management oversight of critical daily care.

The UC Davis team reports there is inadequate to non-existent sanitation of dog housing, cat housing, dishes, litter pans, laundry, animal control vehicles, transport carriers, exam surfaces, storage facilities, and overall Shelter environment. The Shelter Supervisor has never updated the sanitation protocol during her time in charge. The products in use for cleaning have not been independently validated as effective against Parvovirus. Studies have shown this type of disinfectant is not effective against this potentially fatal animal virus. While the Shelter Supervisor was explaining the kennel cleaning process to Dr. Hurley, she did not notice that the barrel of deodorizer was empty. The directions provided for the inmate-trustees to perform their daily cleaning process are outdated and written in such a way that they are confusing. This leads to improper application of disinfectant, deodorizer, and degreaser. During litter pan cleaning, left over litter, feces, and urine was washed into the outdoor surface and runoff water was allowed to sink into the soil.

During the UC Davis Koret Shelter Medicine team's visit, it was apparent that rounds of the kennel were not conducted by a trained individual. Monitoring of the kennel should include food and water consumption, urination, defecation, attitude, behavior, ambulation, and signs of illness or other problems. Several animals with severe infectious diseases were allowed to remain in the general population. This poses an unacceptable risk to healthy impounded animals. Human health risk from zoonotic disease is also present.

The inmate-trustees were observed cleaning the kennels. Before cleaning began, no evaluation of the health of the dogs and cats was made by an Animal Control Officer. When cleaning began, unsupervised inmate-trustees started with the cages that house the quarantined dogs.

A chain link fence is the only separation of animals in the kennels designated as the isolation area to the main animal population. Heavy contamination of the inmate-trustees clothing occurred during cleaning of the isolation area and this contamination was then transferred to cages where healthy animals are housed. Feces was sprayed into drains rather than scooped. This has led to the Shelter's septic system being overloaded. The septic system has failed several times in the past.

During cleaning, fecal contamination of the surrounding cages and workers is present every day. Even after cleaning, visible clumps of feces remain in runs and wash stations.

Because inmate-trustees have no other clothing to change into after cleaning, contamination of clean bedding being distributed by the inmate-trustees has the potential to spread disease to healthy animals.

During cleaning, cages are sprayed with water and disinfectant while the dogs are standing in the cages and many dogs remain wet, filthy, and cold for the entire day. When the Grand Jury conducted the first site visit on October 13, 2010, only one kennel was equipped with a raised bed. The Animal Control Policy and Procedure manual specifically states that all kennels are to be equipped with a raised bed. After the Shelter Supervisor was questioned by the Grand Jury why all kennels were not equipped with raised beds, a few more raised beds were added. On the March 8, 2011 site visit, all kennels were equipped with a raised bed, but with overcrowding at the Shelter, two or three of the many dogs housed together cannot lay on these beds. These dogs are left to either stand for most of the day or lay on the cold wet floor. Overcrowding, lack of supervision of inmate-trustees, and the poor design of the kennel have led to increased animal illnesses.

Cleaning of the front room cat crates is difficult to accomplish due to the design of the room. It is evident that these crates are not thoroughly cleaned. Inmate-trustees cleaning the cat cages are not trained to diagnose or recognize diseases. Use of dirty rags from crate to crate leads to extensive disease spreading. There is no hand washing station or a change of gloves between cleaning of each crate even after handling obviously ill cats.

Food storage containers, the euthanasia room, trustee's room, and the entire Shelter were filthy. E-Collars (An Elizabethan collar or space collar [sometimes called a cone] is a protective medical device worn by an animal, usually a cat or dog) in the storage containers were smeared with blood and rat feces. The intake cages were not cleaned between uses. This leads to contamination of healthy animals and if this policy is not changed, healthy animals will continue to contract deadly diseases. The Animal Control vehicles are not sanitized routinely. Feces and hair in all cages was observed in the trucks. After Animal Control Officers transport animals to the Shelter, the trucks are not routinely cleaned which contributes to the spread of disease. Dead animals are transported in a truck compartment without containment. This action leads to leaking body fluids into the compartment used for live animal transport.

Clutter throughout the work area and outside along the rear of the grounds has the potential for causing work related injuries. The laundry area is outside and has no hot water hook-up. The Shelter Supervisor stated that bleach is used because there is no hot water. When this area was inspected by the Grand Jury and UC Davis Koret Shelter Medicine Veterinarians bleach was not being used in the daily washing of towels, blankets, food bowls, and litter pans. (See Exhibit photos C, E, J)

While members of the Grand Jury were at the Shelter, inmate-trustees were observed making decisions about the health of animals during the kennel cleaning process. These inmate-trustees have no veterinary technician training. There is little to no Shelter staff oversight of the inmate-trustees. In one cage, there was a skinny boxer puppy with severe

nasal discharge. This is a classic sign of distemper. This puppy was caged with healthy animals and was not moved to an isolation cage. Some dog runs had severe diarrhea and vomit in them. Shelter staff made no attempt to diagnose which animal or animals may have been sick. Inmate-trustees should be supervised at all times to ensure compliance and understanding of unfamiliar processes. Activities of the inmate-trustees should be limited to those that do not require direct handling of animals, particularly strays of unknown or aggressive temperament. Inmate-trustees should only be assigned duties such as cleaning of vehicles, laundry, dishes, non-animal housing areas, preparation of food dishes, and litter pans.

The euthanasia room, located in the animal housing area, has minimal security, no windows, and inadequate air circulation. Stacked portable cages in the room are utilized for sick cats and animal impoundment overflow. One cage contained a puppy that had been adopted from the Shelter and returned when a local veterinarian had diagnosed the puppy with Parvovirus. There were no precautions for special cleaning and handling of this puppy. There was a Jack Russell puppy that appeared to be in good health and very adoptable next to the puppy, that had been diagnosed with Parvovirus. Cleaning rags used in the Parvovirus-diagnosed cage were used on other cages located in this room. This could lead to all animals in this room developing Parvovirus. When the Shelter Supervisor was asked about this puppy, she stated she had plans to reintroduce the puppy to the general population once its stool was normal. Proper test for Parvovirus can be accomplished by an inexpensive test kit. However, the Shelter Supervisor stated she is making the decision based on “smell” and appearance. This practice runs the risk of transmitting Parvovirus throughout the entire Shelter.

The euthanasia process standards state that animals should not be permitted to observe or hear the euthanasia of other animals. Overflow of sick cats or dogs should not be housed in the euthanasia room. Even though a blanket is placed over the cages to prevent caged animals from observing the euthanasia of animals, this does not keep the animals from hearing during this process or becoming exposed to animals with contagious diseases. The staff appeared to be well trained and skillful in the euthanasia process. However, the room was cluttered and dirty. The noisy environment of barking dogs in the room made it difficult to verify death using a stethoscope. Although minimum Shelter standards require the euthanasia room to be cleaned and disinfected after each euthanasia session, this procedure is not followed. The Animal Control Officers were not wearing protective clothing to guard against contact with diseased animals. This contributes to further contamination of Shelter animals for the rest of the day.

When Shelter personnel are euthanizing animals there is no scale used to determine the animal’s accurate weight. This procedure can result in animals having to be given the drug a second time. This places undue stress on the animals at a time that is terrifying. Testimony has been provided that rats have been euthanized using Fatal Plus. The dosage was accounted for by falsifying the records required by the DEA. The amount of Fatal Plus used on the rat is accounted for by adding an extra amount to a record of a small cat that is being euthanized. This drug is monitored by the DEA through a local veterinarian. The veterinarian whose license the Shelter is using to obtain the Fatal Plus has stated,

“there is no way that I can possibly tell that the records were altered. I have to rely on the trust factor.” This is of great concern to the Grand Jury.

During several Grand Jury visits to the Shelter it was evident that some dogs were unable to use or did not know how to use the automatic watering valve. The only water intake for these dogs was from licking filthy disinfectant and water off the kennel floor during cleaning. Some co-housed dogs were unable to have access to beds or food. Some dogs ate all the food leaving their kennel mates without food. No Shelter staff or management was present during feeding to assess appetite, intervene in fights, or to make sure all dogs have access to food. The poor quality of donated food contributes to diarrhea and poor nutritional state and further reduces disease resistance even for those dogs that have access to food. Connex containers behind the kennels contained an enormous amount of food. The container contents were in such a state of disarray that a large amount of food will likely become rancid by the time it is consumed.

Cat feed is stored in 55-gallon drums and is never completely emptied before more donated food is added. This leads to food on the bottom becoming rancid and contaminating all food. When co-housed cats are fed and watered the food and water bowls are often tipped over leaving the cats without clean food or water for the day. Shelter standards state that food consistent with the nutritional needs and health status of the individual animal must be provided.

Air circulation in the kennel area is poor. This also puts the healthy animals at risk of contracting and spreading diseases. Having no air conditioning in the facility when the temperature exceeds 90 degrees has a potential adverse effect on the animals, workers, and the public.

Due to deplorable housekeeping for the past several years, the stench in the animal housing area cannot be eliminated by normal cleaning. This creates a potential health hazard to all involved. The kennel area is not equipped with hot water. At one time, the kennel was equipped with a hot water heater, but over time, the hot water heater was removed because of the buildup of insulation, rat feces, and debris due to the rat infestation. The facility cannot be properly cleaned and disinfected without hot water.

There are several large Connex containers on the Shelter property for storing of feed, cleaning material, and bedding. All containers have signs of having a serious rat infestation. The rats have eaten into bags of food and these bags of food were observed to have been contaminated with rat feces and urine.

There is a very large rat infestation throughout the Shelter. Extensive fresh and dried rat feces up to 1-2” deep was observed on the rafters. Rat feces were observed in all animal housing areas including in feline litter pans: (See Exhibit photos A, D) this indicates the rats have been inside feline cages with the cats. Rat infestation can lead to serious human and animal health issues. Research on the Center for Disease Control (CDC)

http://www.cdc.gov/rodents/diseases/direct.html web site revealed that there are several dangerous and fatal diseases attributed to rat feces and urine exposures. A few of these diseases are listed below

Hantavirus Pulmonary Syndrome (HPS): Hantavirus pulmonary syndrome (HPS) is a deadly disease transmitted by infected rodents through urine, droppings, or saliva. Humans can contract the disease when they breathe in aerosolized virus.

Murine Typhus: Murine typhus (caused by infection with R. typhi) occurs worldwide and is transmitted to humans by rat fleas. Flea-infested rats can be found throughout the year in humid environments, but are most common during the warm summer months.

Rat-bite fever (RBF): Rat-bite fever (RBF) is a systemic bacterial illness caused by Streptobacillus moniliformis that can be acquired through the bite or scratch of a rodent or the ingestion of food or water contaminated with rat feces.

The Grand Jury discovered during their investigation there was no pest control contract in place other than a month-to-month service that only included spraying for insects and cleaning cobwebs on the outside of the main office area. The pest control company was very clear that they would address rodents only upon request. The pest control company stated until December 2010 there had been no request for rodent control. Although there is evidence of efforts to secure the facility the ineffective means of control to eradicate the rats and clean up the Shelter has been unsuccessful. Traps incorrectly positioned, many not set, or not baited, suboptimal bait used may not be sufficient to control severe rat infestation. The Shelter Supervisor stated the use of poisons or gas to eradicate the rat infestation was “inhumane” to the rats.

The potential for a Workers Compensation claim related to the rat infestation is high. The Grand Jury has sworn statements from County employees that the rat infestation in the Shelter is growing and they consider the rat feces and rat urine to be a serious health issue. The County Safety Coordinator, Richard Poma, and the County Risk Manager, Marco Sandoval, informed the Grand Jury that the Assistant Director of Community Services, Randy Cagle the Director of Community Services, Larry Bagley and the former Director of Personnel, Mary Lynn Carlton were informed by written report, that the rat infestation was a high level of concern.

A worker from the Public Works Department had been directed to make upgrade repairs in the euthanasia room at the Shelter. While performing work on a wall in the euthanasia room the wall broke open and dead rats, rat feces, and urine soaked insulation fell on him. The employee became violently ill and vomited. The employee was sent home for the rest of the day. A bucket of dead rats, feces, and urine soaked insulation was taken to the office of Public Works Director, Doug Gault and placed on his desk. The Public Works Director has now notified employees in the Public Works Department not to open up any walls or ceilings at the Shelter because of the possibility of being exposed to diseases from rat feces and urine. All Public Works employees have been instructed to

make repairs externally in order to avoid unnecessary exposure to the hazardous element of rat feces, urine, and rat carcasses.

The Public Works and Community Services Department have an agreement that the Public Works Department only do repairs to the interior of the Shelter when either the Community Services Department or the Shelter Supervisor submit a work order. Sheet metal plates are given to the Shelter upon request to allow them to do their own repairs to holes made by the rats in order to mitigate cost. These repairs were not a priority and this has allowed the Shelter to fall into a state of disrepair. **(**See Exhibit photos G, H)

Upon review of the officer activity report provided to the Grand Jury by the Shelter Supervisor, breakdowns of completed calls for 2010 are as follows for current Shelter employees:

Shelter Supervisor	ACO II	ACO I	ACO I	ACO I	Follow-up Calls	Total Calls
157	193	2543	1745	1519	30	6157

On any given day when the call volume is high, the Shelter Supervisor and the Animal Control Officer II rarely assist with calls and kennel duties. The fact that the Animal Control Officer II has only responded to 193 calls versus the thousands of calls completed by the other Animal Control Officers is further evidence of improper management of the Shelter. A flawed management style seriously impacts the care of the animals at the Shelter and the services that are to be provided to the citizens of the County.

Animal Control Officers prescribe and administer treatments without veterinary supervision using donated drugs prescribed for other animals in the Shelter. It was observed that doxycycline tablets were being given at incorrect doses. In addition, expired medications were being administered. This could be a risk of esophageal stricture in cats. Treatment records of dogs and cats are not being recorded properly. This practice leads to missed treatment of sick animals. A veterinary technician and a formal relationship with a local veterinarian are required to provide for medical care of shelter animals. The Shelter does not have a Premises Permit that is required by law in order to practice medicine at the Shelter. A Premises Permit allows the Animal Shelter to practice veterinary medicine while under the supervision of a licensed California Veterinarian. It is illegal to provide veterinary services without a Premises Permit. The Veterinary Medicine Practice Act trumps the Hayden Bill, which requires the provision of veterinary care. There is no exception for a shelter. This is a clear violation of practicing veterinary medicine without a license.

California Veterinary Practice Law 4826 states "Practice of veterinary medicine, surgery, and dentistry defined: Any person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when he or she does any one of the following: (a)…, (b) Diagnoses or prescribes a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure or relief of a wound, fracture, bodily injury, or disease of animals, (c) Administers a drug, medicine, appliance, application, or treatment

of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of animals, except where the drug, medicine, appliance, application, or treatment is administered by a registered veterinary technician or an unregistered assistant at the direction of and under the direct supervision of a licensed veterinarian."

California Veterinary Practice Law 4840 states: "Exceptions: (a)…, (b) Registered veterinary technicians may perform animal health care services on those animals impounded by a state, county, city, or city and county agency pursuant to the direct order, written order, or telephonic order of a veterinarian licensed or authorized to practice in this state."

California Veterinary Practice Law 4831 "Penalty for violations: Any person, who violates or aids or abets in violating any of the provisions of this chapter, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five hundred dollars ($500), nor more than two thousand dollars ($2,000), or by imprisonment in a county jail for not less than 30 days nor more than one year, or by both the fine and imprisonment."

SB1785 "Hayden Bill" requires animals be held 4-6 business days. Because of the downturn in the economy, more animals are being abandoned and this is causing overcrowding at all Animal Shelters. The state could no longer afford to reimburse Shelters for the extended holding period and the State has decreased the holding time to 72 hours. The Shelter Supervisor states that they usually try to hold the animal for as long as possible, sometimes as much as 20 days or longer, in an effort to adopt the animals. Animals who have been evaluated to be vicious, sick, and unadoptable greatly contribute to the overcrowding in the Shelter. Holding animals longer in order to be redeemed or adopted contribute to severe overcrowding. Poor Shelter management places animals at risk to the contraction of contagious diseases that are present in the Shelter. **In 2010 alone, over 1200 dogs and cats that entered the Shelter healthy were either euthanized or died in the kennels due to Shelter-acquired illness. This has led to the euthanasia of thousands of Sutter County animals over the past 5 years**. Adoptable animals die each day because Animal Control has not the staffing, funding, facilities, or management expertise to deal effectively with Shelter overcrowding.

In 2010, 33% of the dogs euthanized were for medical reasons. Only 9% of dogs were sick or injured on intake. At least 398 dogs were euthanized for Shelter-acquired disease. Thirty-four dogs died in their cages of Shelter-acquired disease or injury. The average time to death was 8 days; indicating Shelter-acquired fatal condition and/or prolonged suffering.

In 2010, 66% of the cats euthanized were for medical reasons. Only 13% of cats were sick or injured on intake. At least 538 cats were euthanized due to Shelter-acquired diseases. More cats died in their cages than were adopted (273 versus 248). The average time to death was 9 days. This indicates the cats also acquired a fatal disease after intake and were suffering.

Overall, in 2010, 1,243 dogs and cats were either euthanized or died in their cages of a Shelter-acquired illness or injury.

If Sutter County had followed the recommendations of CITYGATE ASSOCIATES LLC, thousands of adoptable animals could have been saved and loving, caring homes could have been found for them. As such, animals were subjected to a stressful final few weeks while awaiting euthanasia because of a Shelter-acquired disease, or dying in their cages.

Per the UC Davis Shelter Medicine Director, Dr Kate Hurley, the County Animal Shelter is in violation of California Civil Code 1834, and California Penal Code 597 as defined below:

California Civil Code 1834 states: "A depositary of living animals shall provide the animals with necessary and prompt veterinary care, nutrition, and Shelter, and treat them kindly. Any Depositary that fails to perform these duties may be liable for civil damages as provided by law."

California Penal Code 597(b) states: "Except as otherwise provided in subdivision (a) or (c), every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, or shelter, or to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for labor, is for every such offense, guilty of a crime punishable as a misdemeanor or as a felony or alternatively punishable as a misdemeanor or a felony and by a fine of not more than twenty thousand dollars ($20,000).

During the UC Davis Koret Shelter Medicine Team's presentation of the final report to the Grand Jury, Dr. Kate Hurley was asked by the Grand Jury on a scale of 1 to 100 where would she rate the condition and management of the Sutter County Animal Control facility she stated "the Shelter is in the bottom 5%." Dr. Hurley was asked if the Shelter Supervisor was qualified to manage the Animal Shelter and Dr. Hurley stated, "Absolutely not." When Dr. Hurley was asked when the new Shelter was built if the existing Shelter Supervisor and the current Shelter practices were moved to the new facility how long would it take for the new Shelter to become compromised, she stated "One day."

In September 2010, a complaint was filed with CalOSHA. An investigator from CalOSHA conducted an inspection of the Animal Shelter and listed five violations and Sutter County was fined $3,000. Sutter County has responded to the report and is awaiting feedback from CalOSHA on their response. Any repairs that have been

completed since the CalOSHA inspection at the Shelter have only been accomplished due to the pressure of the CalOSHA report. The euthanasia room when first visited by the Grand Jury was filthy, covered with holes created by the rats chewing through the sheet rock walls. The floor and cages along the wall were covered with rat feces and dead rats. After the CalOSHA inspection, the euthanasia room walls were covered with cement wallboard to patch the holes in the existing sheet rock to minimize the ability of the rats to enter the euthanasia room. When the Shelter Supervisor was asked who the contractor was and what was the cost of the project, the Shelter Supervisor did not know when the work was done, who performed the work and what the cost was.

Another concern of the Sutter County Animal Control Officers and the Grand Jury is personal safety of the officers. During open hours to the public, the Shelter provides its own dispatch service. After hours and on holidays, callers are directed by recording to contact the Sheriff's Office dispatcher. The Sheriff's Office dispatcher then contacts the on-call Animal Control Officers.

The means of communication to other Animal Control Officers and the main Shelter is by Nextel Direct Connect. Often Officers are in rural areas where reception is frequently unavailable leaving the officer unable to contact anyone if they encounter hostile citizens or large or dangerous animals. Since our investigation began the Shelter, trucks have been equipped with radios that will allow communication between the Sheriff's Office Dispatch and the Animal Control Officers.

Although the trucks are now equipped with radios, the Animal Control Officers are not allowed to use them until training has been provided. When the Animal Control Supervisor was asked by the Grand Jury when the radio training was to be completed, the Animal Control Supervisor was unable to answer the question regarding the completion of the radio training.

During the course of our investigation, the Grand Jury asked why the use of bite sticks and pepper spray was curtailed in 2007. It was stated that some staff members lacked sufficient training in the use of these items. On February 8, 2011, the Grand Jury received a copy of the "Use of Force Policy." At this time, the Shelter Supervisor and one Animal Control Officer 1 have not been certified in the use of these safety items.

On weekends, there is only one Animal Control Officer and one or two inmate-trustees on duty. If the Animal Control Officer is directed to respond to a call, the Animal Control Officer has to take the inmate-trustees with him or her. Though the inmate-trustees are low-risk, a potential dangerous situation is created when the weekend Animal Control Officer has to respond to a call in an unincorporated rural area in the county and have no communication with law enforcement.

New Shelter

A Project Summary Report in 2006 was issued by a Joint Project Team made up of representatives from Sutter County, Yuba City, and Live Oak indicating the current Animal Shelter building is under sized and severely deteriorated. The report went on to state that a new Shelter was needed.

The CITYGATE Management review of the Sutter County Animal Shelter recommended that the County use the Architect Engineer, Swatt-Miers, to complete the design of a new Animal Shelter. The economy took a downturn and funding was a problem for all three representatives. The design contract was not finalized until May 2009. On or about October 2010, the Architect Engineer firm was asked by Sutter County to halt the design. Per the County Administrative Officer on February 16, 2011, she had not been able to identify which one of the County administrators ordered the design work stopped. A letter from Sutter County to the Architect Engineer firm dated Jan 7, 2011 authorizes Swatt-Miers to resume the design on January 17, 2011. Several emails exchanged between the County and Yuba City from December 2010 to April 4, 2011, show that many issues remain unresolved.

On January 5, 2011, the Sutter County Board of Supervisors agreed to donate several acres of land to Yuba City and form a Joint Powers Agreement to manage the new Animal Shelter. Yuba City offered a much larger piece of land that would allow for expansion and housing of large animals. The Public Works Director recommended that the Board of Supervisors not accept Yuba City's offer. The future County site of the new Animal Control Shelter is near residential housing and will require shared parking and a right of way with other county offices. In addition, the new site does not allow for future expansion. Once the Joint Powers Agreement is established and implemented, Yuba City will assume the lead for any issues that may arise.

A draft Transition Plan for the new Animal Control Shelter has been completed and is being reviewed by each of the three members. Several issues concerning Sutter County, Yuba City and Live Oak are:

- Formula for operational cost contributions. To be based on a combination of population or a combination of population and distance (Time) travel to serve outlying county locations.
- Voting authority of participating members based defined membership (3 Yuba City, 2 County, and 2 Live Oak) or based on percent monetary contributions of member. Both options include a veto right.
- Placing a cap on overhead and administrative cost passed through by the leading agency, and defining same.
- Review of Sutter County's request for payment of administrative costs retroactively for the last two years.
- Limiting the cost recovery of worker compensation over a rolling 5-year time frame.

- Responsibility for the operational budget development for 2011-2012 and the increased budgeting required to maintain the new facility for 2011-2012.
- Sutter County willingness/ability to turn over design and construction lead of the new facility to Yuba City.
- Agreement on alternative priorities for the new facility to contain cost as necessary.
- Agreement on a set of rules and regulations governing future animal control service. This still need to be developed based on existing services and monitoring such services.
- Tentative schedules for the completion of the JPA document, transition plan, and operational guidelines.
- Resolution of outstanding issues regarding employee transitions from Sutter County to Yuba City status.
- According to the Architect Engineer firm, the city has missed advance input into the most recent phases of design.
- Stakeholder involvement in a broader issue of animal control services.
- Capital Asset/Major Equipment Transfer
- Insurance issues
- Contracts

In the Fiscal Year (FY) 2010-2011 Sutter County budget for Animal Control, Yuba City questioned the A-87 administrative cost add-in for Animal Control. A-87 overhead cost is an administrative cost incurred for a common or joint purpose benefiting more than one agency. The County stated the Intra-fund (A-87) overhead costs were added to the Animal Control budget to more closely reflect true costs of operations. Yuba City stated this cost increase was unacceptable.

When the County was asked to provide a detailed cost break down the County was not able to answer Yuba City's concerns. This undefined administrative cost increase required Yuba City to pay $549,485 per year for Animal Control services. Without a cost breakdown, Yuba City capped their portion of animal control service to $375,000. Sutter County elected to cut two Animal Control Officer 1 positions on December 30, 2010 to cover the decrease of funding from Yuba City. One Animal Control Officer 1 left the Shelter in November and one Animal Control Officer 1 was laid off on December 30, 2010. Due to a hiring freeze, the Kennel Attendant position will remain unfilled.

Justification for Administrative overhead (direct and indirect) and Workers' Compensation cost for four years is one of the concerns of the City of Yuba City. These costs will drop from $236,000 to $76,000 for Administration and from $88,000 to $15,000 for Workers' Compensation with the formation of the Joint Powers Agreement; A savings of over $230,000 per year. These funds could have been used for other much-needed Animal Control Services. The County uses A-87 accounting procedures, which is not required, and distributes Workers' Compensation costs. A-87 allows for a straight 10% charge for overhead in lieu of the more cumbersome method of listing all charges.

Yuba City's Workers' Compensation cost averages 2% of payroll. Sutter County charges 22.5% of payroll for Workers' Compensation cost.

Currently the formation of the Joint Powers Agreement is on hold. Differences in perceptions as to what is necessary to form a Joint Powers Agreement continue to delay progress on the new Animal Control Shelter.

The City of Yuba City has offered to pay for a third party mediator in an effort for all parties to come to an agreement on the formation of the Joint Powers Agreement. An objective third party should help resolve all outstanding issues.

FINDINGS AND RECOMMENDATIONS

The Grand Jury recommends the findings and recommendations listed below be implemented in order for the new Shelter to function in an efficient manner.

Finding

The Grand Jury finds that the Sutter County Animal Shelter may be in violation of California Penal Code 597, California Veterinary Practice Law 4826, California Veterinary Practice Law 4840, California Veterinary Practice Law 4831, and California Civil Code 1834.

Recommendation

The Grand Jury recommends Sheriff J. Paul Parker immediately begin an investigation to include the violations of California Penal Code 597, California Veterinary Practice Law 4826, California Veterinary Practice Law 4840, California Veterinary Practice Law 4831, and California Civil Code 1834. In the course of the Sheriff’s investigation of these findings, individuals who are found to be culpable should be charged.

Finding

The Grand Jury finds the UC Davis Koret Shelter Medicine Program has the expertise to analyze all aspects of the Sutter County Animal Shelter and to provide recommendations for correction.

Recommendation

The Grand Jury strongly recommends Sutter County Board of Supervisors contracts with the UC Davis Koret Shelter Medicine Program for a complete analysis of the current Shelter so that deficiencies in the cleaning process, intake of animals, identification of deadly diseases, and the prevention of overcrowding in the dog and cat kennel areas are identified. Plans need to be developed and implemented before transitioning to the new Shelter.

Finding

The Grand Jury finds that several documents provide excellent guidance for the management of animal Shelters. One such document is the "Guidelines for Standards of Care in Animal Shelters" published by the Association of Shelter Veterinarians 2010.

http://www.sheltervet.org/associations/4853/files/Shelter%20Standards%20Dec2010.pdf

Recommendation

The Grand Jury recommends that the Director of Community Services require that the "Guidelines for Standards of Care in Animal Shelters" be adopted for use as a template by the Shelter Supervisor to develop policies that will ensure humane treatment of all animals housed in the Shelter.

Finding

The Grand Jury finds the Sutter County Animal Control Shelter does not have a Premises Permit allowing the legal practice of Veterinary Medicine at the facility. A Premises Permit allows the Animal Shelter to practice veterinary medicine while under the supervision of a licensed California Veterinarian. It is illegal to provide veterinary services without a Premises Permit. There is no exception for an Animal Shelter.

Recommendation

The Grand Jury recommends that the California State Laws that govern the practice of Veterinary Medicine be followed. The Grand Jury highly recommends the unlawful practice of Veterinary Medicine at the Shelter cease immediately. The Grand Jury recommends that Sutter County contract with a licensed California Veterinarian to provide proper medical care to the animals housed at the Shelter.

Finding

The Grand Jury finds the County Animal Shelter to be an unhealthy environment due to the severe rat infestation.

Recommendation

A new Shelter will not be ready for occupancy for 18 – 24 months. The Grand Jury recommends that an independent rodent service be hired to remove the rats by any means necessary.

Finding

The Grand Jury finds the Policies and Procedure Manual is seriously outdated. Employees and inmate-trusties with only verbal instructions in the Shelter's policies and

procedures are subjected to incomplete or inconsistent teaching, as well as manifest inconsistent performance of their duties.

Recommendation

The Grand Jury recommends the Policies and Procedure Manual, covering each aspect of the Shelter's operations, must be updated annually, and a copy be made available in both the administrative office and the kennel area. The Grand Jury recommends each employee be required to read the Manual and indicate in writing having done so. This documentation should then be placed in the employee's file.

Finding

The Grand Jury finds that all animal control vehicles have been equipped with radios except two. Although some of the trucks are now equipped with radios, the Animal Control Officers are not allowed to use them until training has been provided.

Recommendation

The Grand Jury recommends that radios be installed in the two remaining vehicles not equipped with radios. The Grand Jury also recommends training on operation of the radios begin immediately so that all Animal Control Officers will have communications between local law enforcement and animal control.

Finding

The Grand Jury finds that the inmate-trustees are male, non-violent offenders. They are on-site during public hours, thus presenting a poor image for the Division. They take an inordinate amount of Shelter staff time to train. During the workday there is little to no supervision of the inmate-trustees as they go about their daily Shelter duties. In the rare case where an inmate-trustee wants to learn and work, it is unlikely that person will be there for more than a few months. Both CITYGATE ASSOCIATES LLC and the UC Davis Koret Shelter Medicine report confirmed that it is difficult to come up with any redeeming modifier other than they are free labor. However, they are free only in a direct cost sense. The use of inmate-trustees institutionalizes turnover, which is detrimental for any organization (much less a service organization), creates supervision problems, is bad for the morale of regular employees, and creates a poor public image. Use of inmate-trustee labor also makes disease control more problematic because inmate-trustees will not have time to acquire the knowledge of disease symptoms. Although limited training is provided to the inmate-trustees, they do not have the knowledge required to improve the disease prevention capabilities of the Shelter.

Recommendation

The Grand Jury recommends that inmate-trustees be supervised at all times by a fully trained Animal Control Officer. The Grand Jury also recommends phasing out the use of inmate-trustee labor and institute an aggressive volunteer program.

Finding

The Grand Jury finds the current budget for the Shelter is inadequate and does not include funds to fully staff all positions.

Recommendation

The Grand Jury recommends a budget be developed that will allow the Shelter to fully fund all positions. Without a fully staffed Shelter, the continued use of inadequately trained and poorly supervised inmate-trustee labor will lead to more unnecessary deaths in the animal population at the Shelter.

Finding

The Grand Jury finds the inmate-trustees have inadequate training to recognize illness or complete an evaluation of the temperament of the animal. This creates a serious risk.

Recommendation

The Grand Jury recommends that the inmate-trustees only be assigned duties such as cleaning of vehicles, laundry, dishes, non-animal housing areas, preparation of food dishes, and litter pans.

Finding

The Grand Jury finds that developing plans for the new Shelter, forming a Joint Powers Authority, developing a budget and a plan to allow for a smooth transition of the animal Shelter from the County to the Joint Powers Authority is lacking at best.

Recommendation

The Grand Jury recommends that the County work with the cities of Live Oak and Yuba City more closely to ensure that all questions raised by both city managers be addressed in a timely manner.

CONCLUSION

If current upper management does not take action immediately to address many of the findings listed in the CITYGATE ASSOCIATE LLC Management Review as well as the UC Davis Koret Shelter Medicine Report, the success of constructing a new state of the

art Animal Shelter will be for naught. If Sutter County Management would have followed the recommendations listed in the CITYGATE review thousands of animals would have been saved and could have possibly been adopted. **As such, the $55,775 the Community Services Director paid for this report was wasted and could have gone a long way toward improving the Shelter.** The citizens of Sutter County deserve to feel confident that the Animal Control Shelter is providing a safe and healthy environment for employees of the Shelter, inmate-trustees, citizens of the County, and the animals housed at the Shelter. The citizens of Sutter County are going to be investing several million dollars for a new Shelter and deserve a Shelter that will not fall into ruins.

Respondents

Sutter County Board of Supervisors
Stephanie Larson, Sutter County Chief Administrative Officer
Larry Bagley, Sutter County Community Services Director
Randy Cagle, Sutter County Assistant Community Services Director
J. Paul Parker, Sutter County Sheriff
Steve Jepsen, City Manager City of Yuba City
Gary Baland, City of Live Oak Mayor

Sutter County Animal Control Services

March 2011

Kate F. Hurley, DVM, MPVM
UC Davis Koret Shelter Medicine Program
www.sheltermedicine.com

Purpose of *this* visit

- Identify problems and issues
- NOT:
- Identify strengths
  - There are some
- Recommend solutions
  - There are some, both short and long term

What are our responsibilities/obligations?

- The Five Freedoms
- Guidelines for Standards of Care for Animal Shelters
- California law regarding capture, care and disposition of animals
- California professional code regarding practice of veterinary medicine
- California cruelty statutes
- Liability issues

The Five Freedoms

- **Freedom from Hunger and Thirst** - by ready access to fresh water and diet to maintain health and vigor.
- **Freedom from Discomfort** - by providing an appropriate environment including shelter and a comfortable resting area.
- **Freedom from Pain, Injury or Disease** - by prevention or rapid diagnosis and treatment.
- **Freedom to Express Normal Behaviour** - by providing sufficient space, proper facilities and company of the animal's own kind.
- **Freedom from Fear and Distress** - by ensuring conditions and treatment which avoid mental suffering.

The Shelter Standards: Authors

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California shelter regulations

- California civil code 1834: A depositary of living animals shall provide the animals with necessary and prompt veterinary care, nutrition, and shelter, and treat them kindly. Any depositary that fails to perform these duties may be liable for civil damages as provided by law.

Practice of veterinary medicine

- **4826. Practice of veterinary medicine, surgery, and dentistry defined**: Any person practices veterinary medicine, surgery, and dentistry, and the various branches thereof, when he or she does any one of the following: (b) Diagnoses or prescribes a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure or relief of a wound, fracture, bodily injury, or disease of animals. (c) Administers a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, bodily injury, or disease of animals, except where the drug, medicine, appliance, application, or treatment is administered by a registered veterinary technician or an unregistered assistant at the direction of and under the direct supervision of a licensed veterinarian.
- **4840: Exceptions:** (b) Registered veterinary technicians may perform animal health care services on those animals impounded by a state, county, city, or city and county agency pursuant to the direct order, written order, or telephonic order of a veterinarian licensed or authorized to practice in this state.
- **4831. Penalty for violations** Any person, who violates or aids or abets in violating any of the provisions of this chapter, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five hundred dollars ($500), nor more than two thousand dollars ($2,000), or by imprisonment in a county jail for not less than 30 days nor more than one year, or by both the fine and imprisonment.

California vet med board draft policy

Proposed Board Policy for Public Health Issues: The Board has determined that the authority to provide "necessary and prompt" veterinary medical care within a city, county and/or city/county animal control shelters and/or its agencies to protect the public good without a California licensed veterinarian present is very limited. Vaccinations, prophylactic treatment of parasites, and testing for infectious diseases may be provided in a city, county or city/county animal control shelter and/or its agencies without the presence of a California licensed veterinarian **when at least the following three conditions are met**: 1) the person is an employee of an animal shelter and/or its agencies, 2) the employee is performing these tasks under the direction of a written protocol developed in consultation with a California licensed veterinarian, and 3) the employee has received proper training. Such veterinary medical care provided at a shelter to prevent widespread infectious disease, reduce environmental contamination and decrease human and community animal health risk is limited to:

Vaccinations. Vaccinations are one of the most important actions shelter employees can take to prevent disease transmission. Shelter staff may vaccinate as needed to prevent infectious disease transmission.

Prophylactic control of parasites. Many parasites of animals are zoonotic and highly transmissible within the shelter environment. Shelter staff may administer medication to prevent environmental contamination and disease spread to humans and animals, e.g. for prevention of roundworm or hookworm.

Testing for zoonotic and/or infectious disease. Speed of recognition is critical to allow for control of spread of disease, and to prevent inadvertent adoption of diseased animals. Shelter staff may perform tests to recognize and control infectious disease.

Euthanasia. The parameters for performing euthanasia in a shelter are outlined in Business and Profession Code, Section 4827(d), and in the California Code of Regulations, Section 2039.

California penal code 597: Animal Cruelty

whoever, having the charge or custody of an animal, either as owner or otherwise,
unnecessarily fails to provide it with proper food, drink, shelter, sanitary environment, or protection from the weather,


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The Everett Clinic
According to the UC Davis report, King County's shelter conditions make illness "nearly inevitable" because sick animals are housed with healthy ones. Animals receive little routine veterinary care other than spaying, neutering and euthanizing, and as a result sick animals go undiagnosed or are inappropriately treated by staff. One prescription hanging on a cage read: "Give one small and one big tablet," the team reported.
Report blasts King County animal shelter
Housing conditions created behavioral problems that made adoption unlikely. Many cats were kept in cages in the dog room, and the majority appeared "scared, indicated by widely dilated pupils, frozen body postures, and attempts to hide behind or within the dog-food dish provided as a litter pan."
By Sharon Pian
A team of top veterinarians hired by King County Executive Ron Sims says the county's animal shelter is "dangerously over capacity," uses "inhumane" practices and suffers "gross
animals.
Related
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Dogs were kept four to a kennel, "dangerously high levels," the report said, even though the vets visited when the number of animals was unusually low. Aggression within kennels prevented some dogs from eating. Housing at Bellevue was so insufficient that dogs were unable to defecate or urinate away from food and bedding, the report said.
"There appears to be no recognized general understanding or defined minimum standard for shelter animal health and welfare or accepted limit to suffering for individual animals ... " according to the report.

Liability?



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ADV But when I need a specialist in healthcare, I trust the Everett Clinic. The Everett Clinic For the whole you.

Originally published July 7, 2010 at 8:11 PM | Page modified July 7, 2010 at 8:15 PM

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King County sued after dog dies following shelter care

Littlegirl, a healthy, 9-year-old mixed-breed dog when she went into the King County animal shelter in Kent, became ill and died one day after she was released to her owners, according to a lawsuit against the county.

By Keith Ervin
Seattle Times staff reporter

Last September, Littlegirl was a healthy, 9-year-old mixed-breed dog when she went into the King County animal shelter in Kent for a rabies quarantine, according to her owners.

Fifteen days later, when they picked her up, her head was hanging, her tail was curled between her legs, her ribs were visible, she had an "alarming" cough and she seemed oblivious to her family, Chani Hayes said.

The next day, Littlegirl died at home.

Hayes and Gary Cobb, from Elma, Grays

enlarge COURTESY OF CHANI HAYES
A dog named Littlegirl died less than one day after

Video

2010 Fremont Zombie Walk
Thousands gathered in Fremont for the annual Red, White and Dead Zombie Block Party hoping to break the Guinness World Record for the biggest gathering of zombies in one place.

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Overall assessment

- Absence of clear policy, protocols and decision making process causing un-necessary expense, crowding, illness, public health risk, liability, animal suffering and needless loss of life
  - Inhumane and unsafe conditions for staff, trustees, clients and animals
  - Feline death rate > 6 times maximum acceptable level
- Minimal or no management oversight of critical daily care
- No or inadequate/ineffective management response to long term severe issues affecting human and animal health and safety
- Severe mismatch between staff level, intake and daily population numbers
  - Trustees responsible for critical animal care, medical and management tasks without appropriate background
- Exacerbated by current facility in some respects; in other respects new larger facility would fail to address some problems and create others

Overall numbers*

- Human population 92,614 (2009 estimate)
- 2009 cat and dog intake: 4,104
- Intake per 1000 capita: 44
- Estimated California average 27
- 2009 euthanasia: 2280
- Shelter death per 1000 capita: 24 (51/58 California counties)
- Estimated California average 11

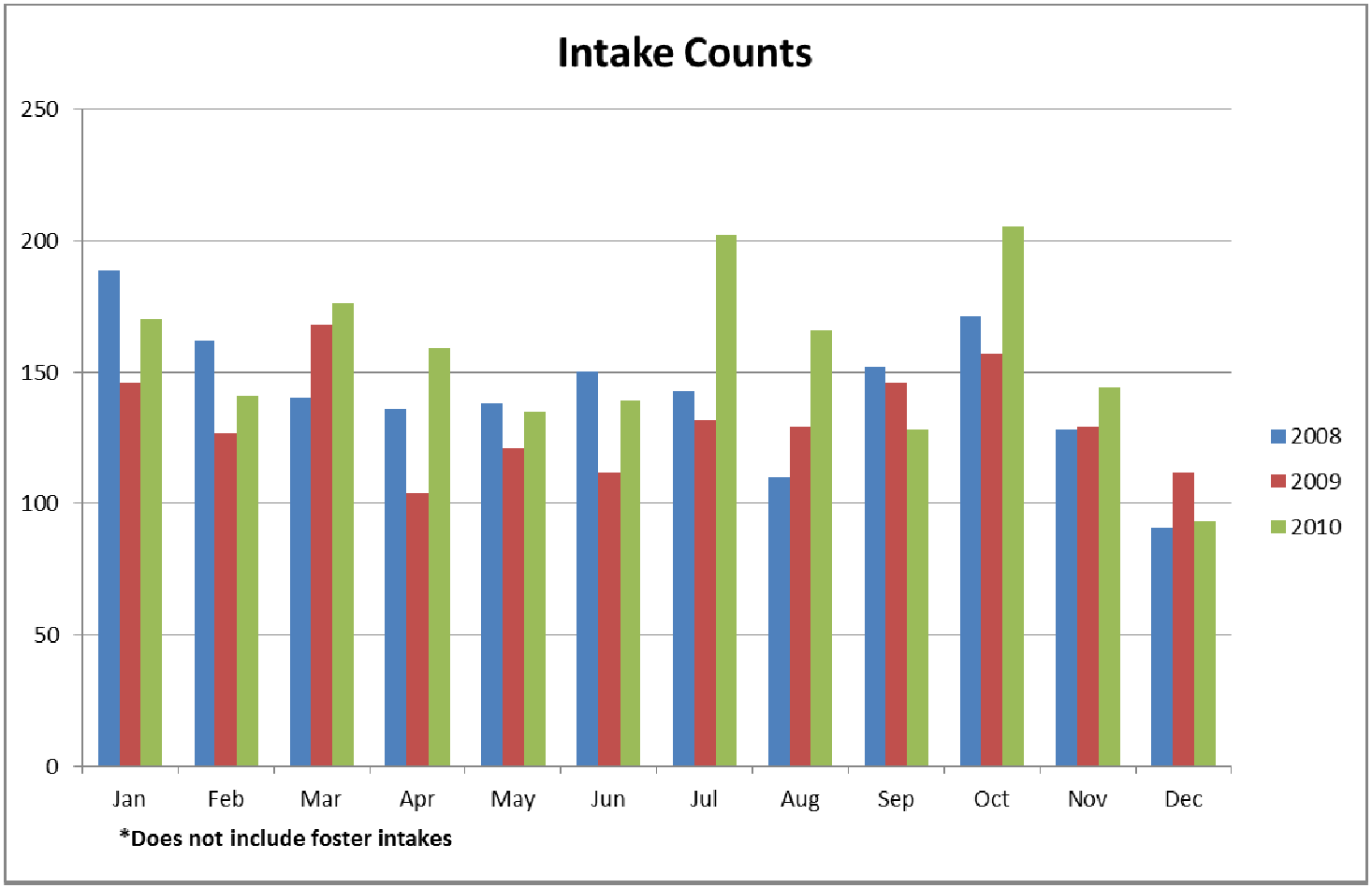
http://www.cdph.ca.gov/HealthInfo/discond/Documents/2009_Local_Rabies_Control_Activities.pdf

2009 comparison

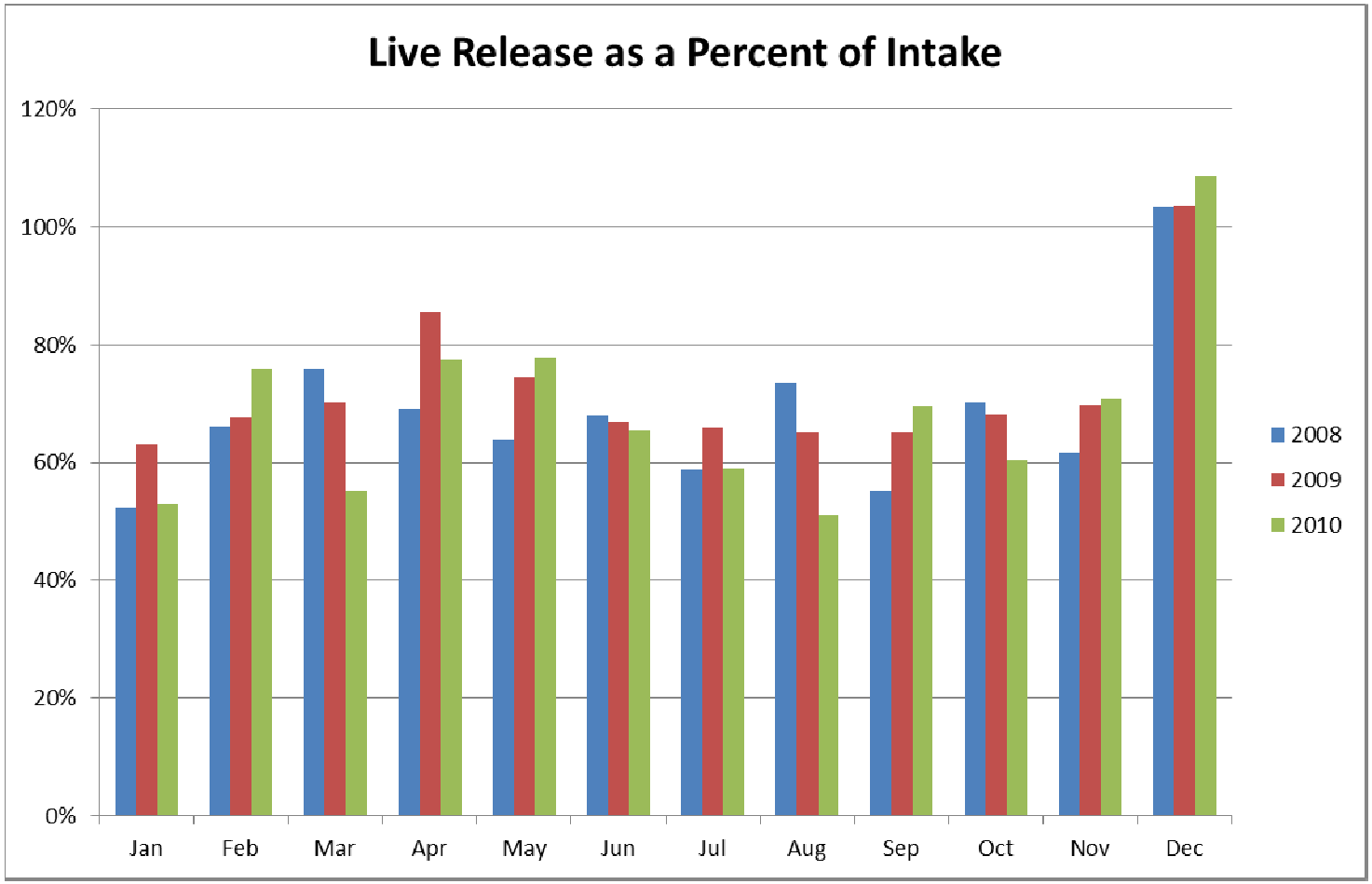
Locale	Live Intake PC dog	Reclaimed PC dog	Adopted PC dog	Transferred PC dog	Live release PC dog	Euthanized PC dog	Died pc dog	Stolen/esc PC dog	Death PC dog
Sutter	19.0	5.8	8.3	0.0	14.1	6.6	1.4	0.2	7.9
California	11.5	2.3	3.6	0.8	6.8	4.3	0.1	0.1	4.4
Percent difference	166%	249%	230%	4%	209%	152%	1332%	277%	180%

Locale	Live intake PC cat	Reclaimed PC cat	Adopted PC cat	Transferred PC cat	Live release PC cat	Euthanized PC cat	Died PC cat	Stolen/esc PC cat	Death PC cat
Sutter	32.9	0.5	4.3	0.0	4.8	14.3	4.0	0.9	18.3
California	11.1	0.2	2.2	0.6	3.0	7.3	0.2	0.2	7.5
Percent difference	297%	232%	198%	0%	160%	195%	2047%	381%	243%

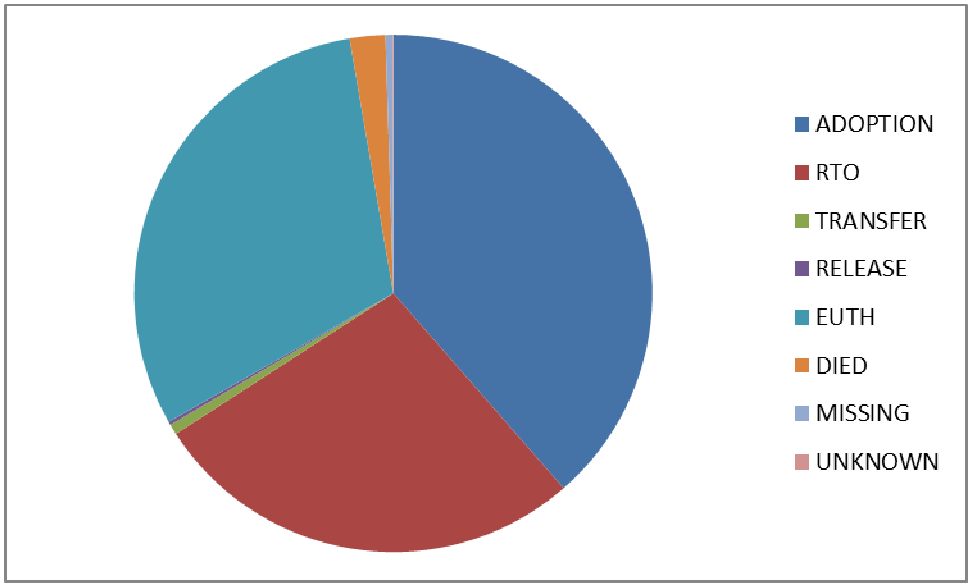
Canine trends



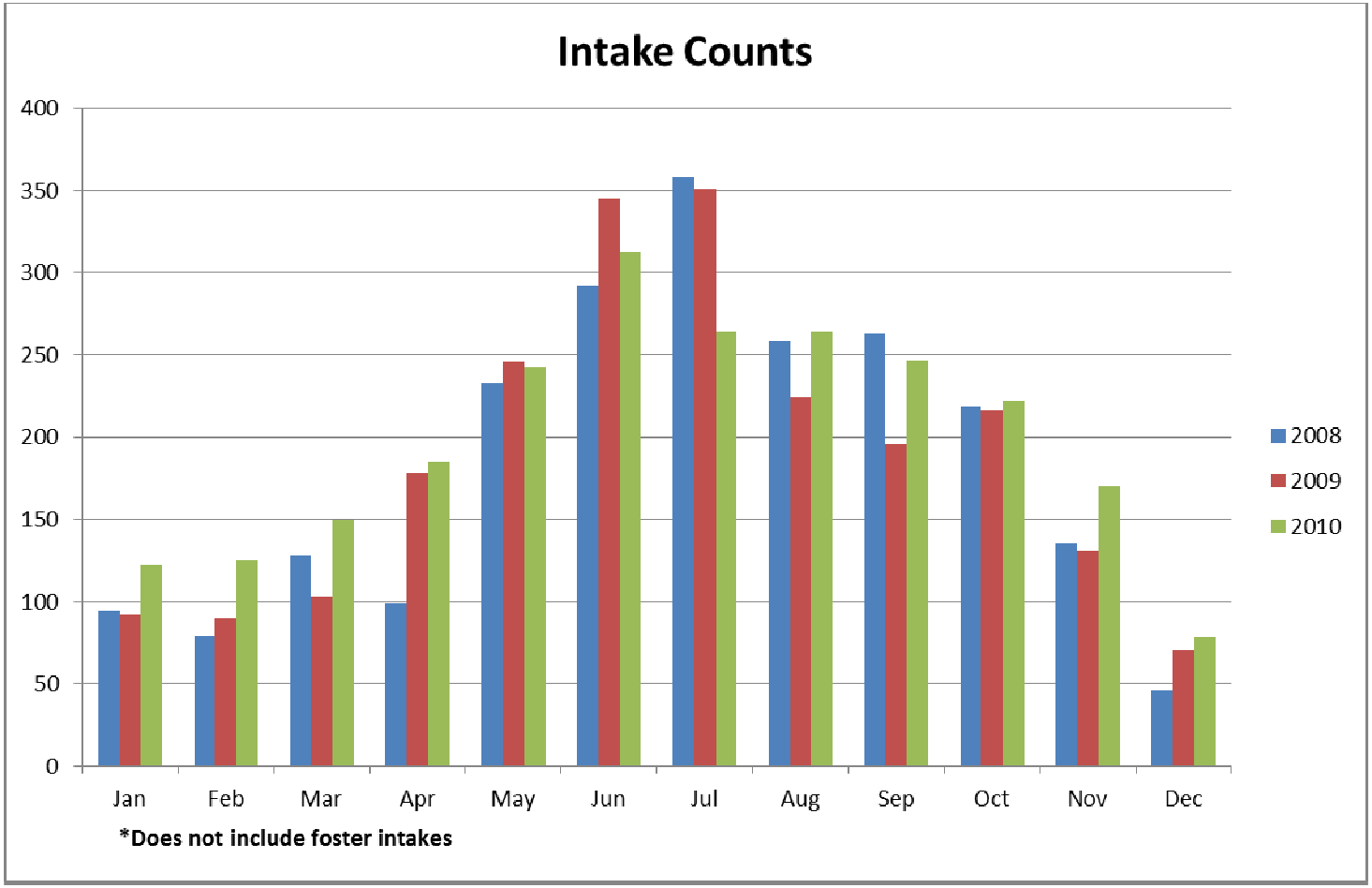
Canine trends



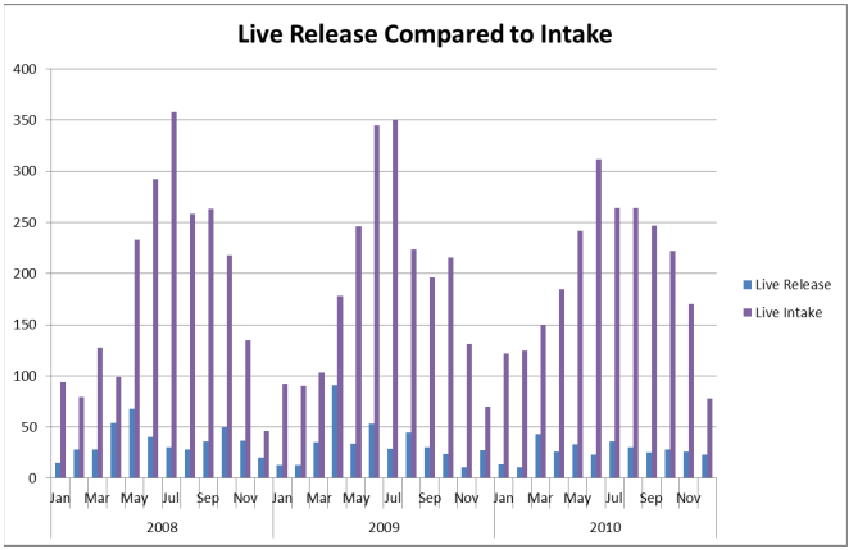
Canine outcomes 2010

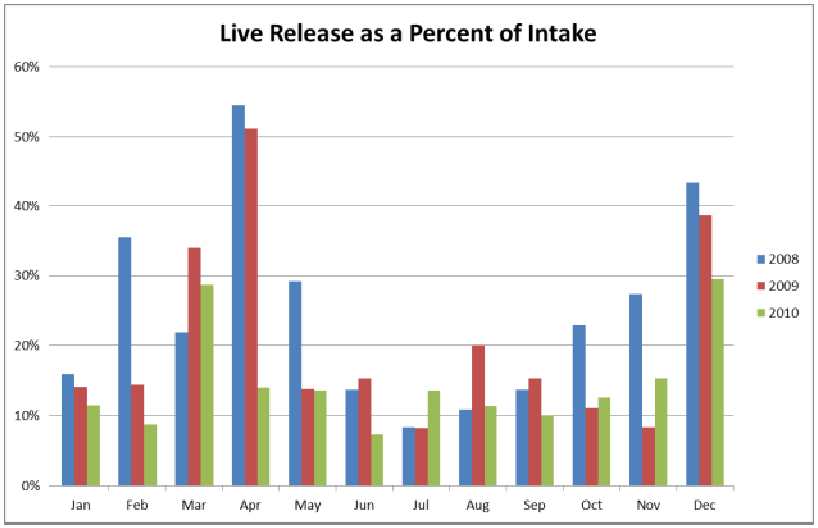


Feline trends

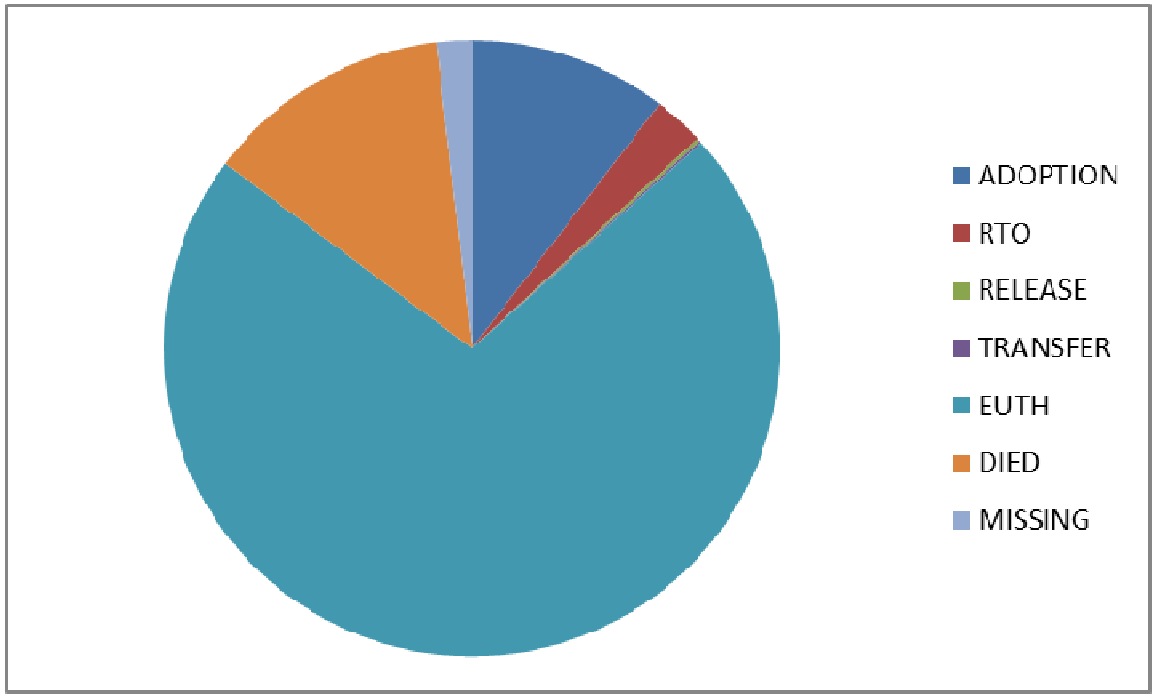


Feline trends





Feline outcomes 2010



Failure to provide sufficient care

- In 2010, over 1200 dogs and cats were either euthanized for shelter-acquired illness or died in their kennels in the shelter's care



Policy and management: shelter standards

- Policies must address the resources and legal/contractual obligations of the organization.
- Active population management is one of the foundations of shelter animal health and wellbeing, and must be based on an appreciation that capacity to provide humane care has limits for every organization, just as it does in private homes.
- Protocols must be developed and documented in sufficient detail to achieve and maintain the standards described in this document, and updated as needed to ensure that they reflect current information and pertinent legislation

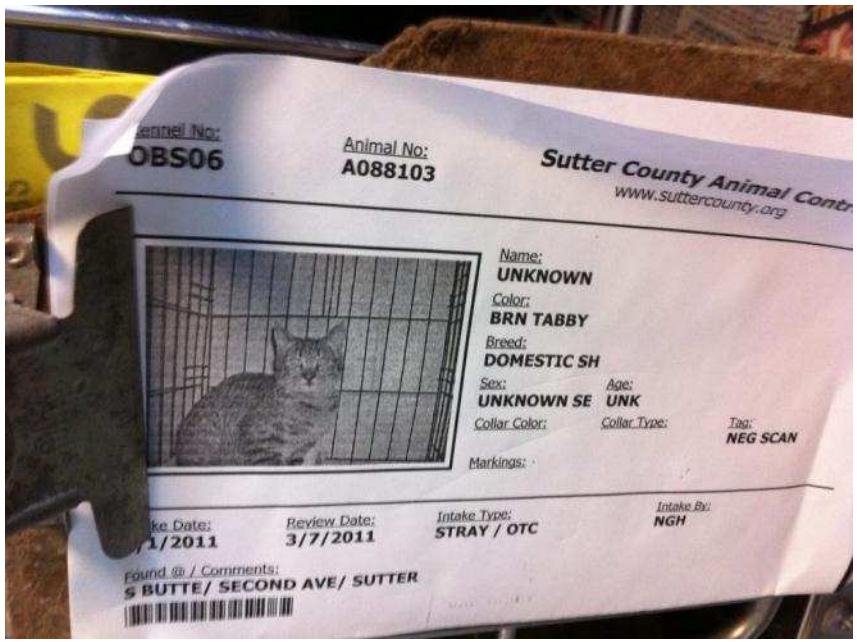
Policy and management: issues

- No plan for managing population or assessing individual animal needs and potential for live release
  - E.g. Manager seemed surprised or confused by the idea that fearful/feral cats would be evaluated on their release date and euthanized if not candidates for adoption or other live release
  - Led to majority of cats and significant number of dogs euthanized only after shelter-acquired illness
  - Failure of population management led to needless overcrowding of runs and prolonged length of stay; especially critical in small facility
    - Past release dogs: 211 days of care; past release cats: 104 days of care
- Failure to enter and track age data consistently hinders planning for new facility (unknown puppy and kitten housing requirements) and evaluation of community intervention needs (unknown need for feline versus canine spay/neuter)

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  - Failure of population management led to needless overcrowding of runs and prolonged length of stay; especially critical in small facility
    - Past release dogs: 211 days of care; past release cats: 104 days of care
- Manager appeared unaware of resource limitations of organization when making decisions regarding animal care and outcome
  - E.g. treating adult cat long term while holding her in euthanasia room, only to euthanize her after 33 days
  - Holding reportedly dog aggressive dog in quarantine, only to euthanize him after 18 days
  - Keeping neonatal animals in euthanasia room waiting for them to get “old enough” to adopt
- Failure to implement effective practices; lack of awareness of standards of care
  - Chronically ineffective management of rodent infestation in spite of severe risks and consequences
  - Ineffective and inadequately documented sanitation protocols
  - Absent oversight of trustees and inappropriate delegation of responsibilities

Absence of planned decision making process





Policy and management: big picture issues

- Absent programs to reduce community pet overpopulation and increase live release and humane care at shelter, for example (not exhaustive list):
  - Spay/neuter outreach?
    - Increasing intake and euthanasia for both cats and dogs
  - Foster program?
    - Neonates held in unsanitary conditions in shelter, very high death rate for kittens
  - Volunteer program?
    - No enrichment for shelter animals, no support for other activities
  - Offsite adoptions?
    - Limited foot traffic and daunting facility reduce live release opportunities for shelter animals
    - Many highly adoptable animals are being euthanized

Staffing: shelter standards

- Authority and responsibility must be given only to those who have the appropriate knowledge and training.
- Staffing or volunteer work hours must be sufficient to ensure that the basic needs of animals in the shelter are met each day.
  - 15 minutes/animal/day recommended
- Adequate staffing must be available to ensure that each critical point of service (e.g., vaccination or medical evaluation, spay/neuter surgery, or a physical move to adoption) is delivered promptly.

Staffing issues

- Decreased staffing reported in 2010 with 12% increased intake
- 68 animals present, average 13 live intakes daily (= 13 outcomes)/< 1 trained animal care staff member/day
  - Population during visit was ~ 70% of normal for this time of year and only 49% of annual average (138/day)
  - < 1-2 hours of staff time spent on animal care = < 1 minute per animal per day for oversight of feeding, cleaning, medication and other necessary care and enrichment
  - 16 hours of trustee time/day = 7 minutes per animal per day even if no intake, laundry, facility or other responsibilities
  - Recommended for daily average would be 34 hours of adequately trained staff/trustees for care daily

Staffing issues

- 26 intakes/outcomes at ~ 15 minutes per intake/outcome = 6.5 hours skilled staff requirement
- Other requirements include population monitoring, facility maintenance, interaction with public, contact with rescue and owners
- Trustees performed intake, cleaning and feeding with no oversight, responsible for medical decision making, movement of animals to adoption, restraint of animals for euthanasia
    - Trustees appeared compassionate and conscientious but lacked training, experience and oversight
    - Serious mistakes made creating risk to animal and trustee health, no formal preparation or emotional support for participation in euthanasia
        - » E.g. turned off disinfectant instead of turning it on, resulting in failure to clean/disinfect kennels
        - » No knowledge of how to prevent disease transmission

Housing: shelter standards

- Animals **must not** be housed in the same enclosure simply because they arrived on the same day or because individual kennel space is insufficient.
- Enclosures that permit **care and cleaning without removal of the animals** (e.g., double-sided or compartmentalized enclosures) are very important to prevent disease transmission and **should be provided** for recently admitted or ill animals and those who are younger than 20 weeks of age.
- All facilities should have a means of providing isolation that will allow for humane care and not put other animals at risk.
- Cages or crates intended for short-term, temporary confinement or travel (e.g., airline crates, transport carriers, cages or crates designed to restrict mobility during a defined period for recovery or treatment including small stainless steel cages less than 2 ft× 2 ft), are unacceptable as primary enclosures and **are cruel if used as such**
- Many rodents and insects harbor bacteria and other pathogens that can contaminate food products, resulting in food spoilage or direct transmission of disease to the animals

Housing issues

- Insufficient number of dog runs to provide for even minimum recommended stray hold (39) and adoption (28) numbers, exacerbated by poor population management
- Dog runs in poor repair with many broken doors hindering correct management/sanitation
- No doors to outside half of dog runs, requiring workers to crawl through dog door to remove feces or attend to animals outside
- Dog runs were constantly wet, not all dogs were able to access beds, and many dogs were shivering with cold
- Poor drainage meant water ran from center aisle into every run

Housing issues

- Severe crowding and random co-mingling of dogs
  - Small dogs and puppies up to 6 per run (reportedly higher historically)
  - Co-mingling of puppies and adults leading to extensive respiratory disease problems, high risk for parvo and distemper
  - Unbroken chain of transmission in many kennels
  - Sick dogs (coughing, diarrhea, vomit) in general population with stray, adoptable and dogs awaiting rescue
- Dogs and cats housed in euthanasia room
  - Exposure of live animals to sounds and smells of euthanasia
  - Exposure of dying animals to sound of barking dogs
  - Exposure of cats to dogs

Inadequate housing in poor repair





Housing issues

- Inadequate number of adequate stray housing units for cats (recommended minimum ~ 30)
- Almost all cages in feline observation room do not meet minimum shelter standards for size and are cruel even for short term cat housing
  - Only 2 adequately sized cages in this room
  - Airline crates not used per shelter manager, but are used per trustees and apparently per inventory. Can not be effectively sanitized, are inadequately sized and do not permit visual inspection of cats
  - Steel cages < 2 by 2 should not be used for housing cats > a few hours
- No hiding boxes in most cages, inadequate sized litter boxes leading to severe, unrelieved stress for most cats in observation room
- Moderate dog noise in cat observation room even with doors closed
- Only quasi-isolation area is euthanasia room; sick cats housed throughout observation room and front cat room
- Unwieldy cage set up in front cat room, difficult to clean, cages too close together to prevent disease transmission through open wire

Poorly cleanable cages, insufficient size, quality and number





Sanitation: shelter standards

- Sanitation protocols must be based on current knowledge and recommendations developed specifically for animal shelters, and must include specific methods and agents for achieving the goals of both cleaning and disinfection.
- Enough staff must be assigned to complete sanitation tasks promptly each day so that animals spend the majority of their time in sanitary conditions.
- Selection of proper cleaning and disinfectant products is essential. Detergents and degreasers must be used as needed to maintain clean surfaces free of visible dirt and debris.
  - Products that have not been independently validated against unenveloped viruses and other pathogens of concern should not be used as the sole disinfectant.

Sanitation: shelter standards

- The facility should be cleaned in order of animal susceptibility to disease and potential risk to the general population, starting with the most susceptible animals and ending with those who carry the highest risk of transmitting infectious disease.
  - Separate cleaning supplies should be designated for each area. Appropriate protective clothing (gloves, gowns, and/or boots), should be used in each area, and removed before proceeding to care for other animals in the population.
- When water or cleaning and disinfecting products will be sprayed in or near the area of the primary enclosure, animals must be removed from the cage or kennel, or separated from the area being cleaned by guillotine doors to prevent splatter, soaking of the animals and stress. It is an unacceptable practice to spray down kennels or cages while animals are inside them.

Sanitation: shelter standards

- Sinks should be available in all animal housing and food preparation areas, and must be equipped with soap and disposable paper towels. Hand sanitizer dispensers should be provided in all animal handling areas.
- When dishes are sanitized by hand, they must be thoroughly washed and rinsed prior to disinfection. Ideally, food and water receptacles should be cleaned in an area separate from litter boxes or other items soiled by feces. At minimum, litterpans and dishes must not be cleaned at the same time in the same sink, and the sink should be thoroughly disinfected between uses.
- Transport cages and traps, as well as vehicle compartments used for animal transport must be thoroughly disinfected after each use.
- Outdoor areas around the shelter must be kept clean, recognizing it is impossible to disinfect gravel, dirt, and grass surfaces.
- Ideally, feces should be removed immediately from outdoor areas, but at minimum must be removed at least daily. Standing water should not be allowed to accumulate in areas around the shelter because many pathogens thrive and mosquitoes breed readily in these moist environments.

Sanitation: issues (protocol, procedure and products)

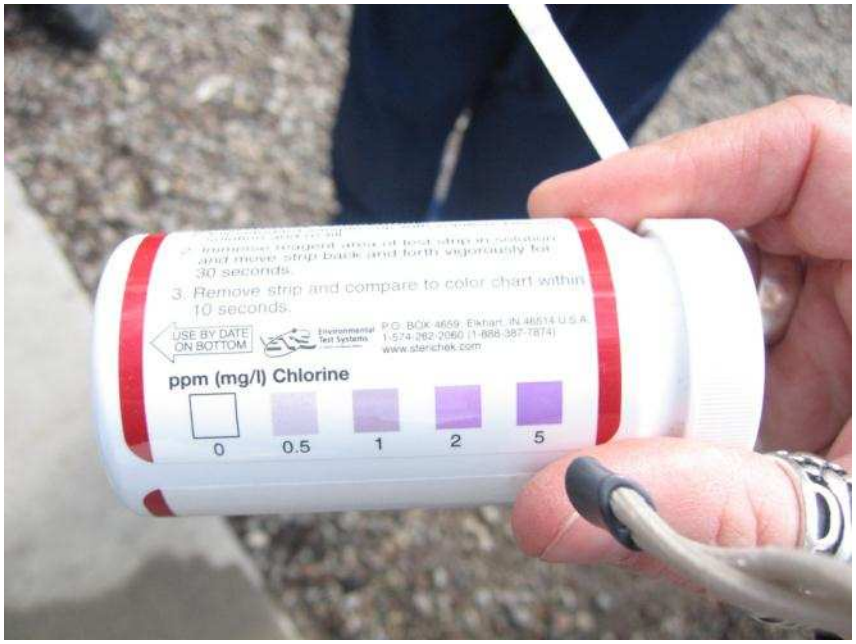
- Failure in all aspects of sanitation, in all areas of the shelter, including protocol development, product selection, application, process, supervision and follow up
  - Inadequate to non-existent sanitation of dog housing, cat housing, dishes, litter pans, laundry, animal control vehicles, transport carriers, exam surfaces, storage facilities, and overall shelter environment
- Manager has never updated sanitation protocol during her time in charge
- Product in use is not independently validated as effective against parvovirus; repeated studies have shown this class of disinfectant is not effective this potentially fatal animal virus
- Barrel of deodorizer was empty, manager did not notice even when guiding shelter medicine team through disinfectant process

Sanitation: issues (protocol, procedure and products)

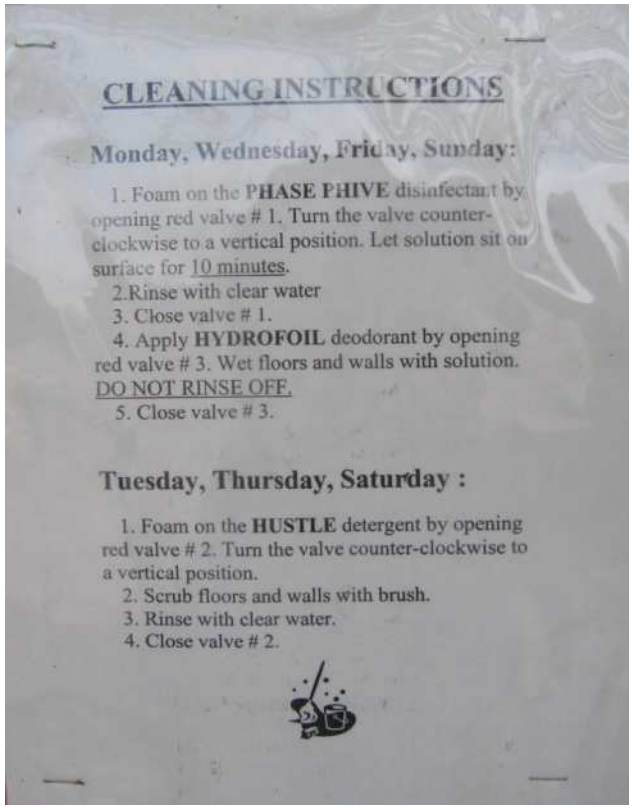
- Although bleach was supposed to be used per manager, no bleach was found in either the washing machine or dishwashing solution
- Alternating detergent on one day with disinfection on another meant that detergent was never applied to pre-cleaned surface (required for efficacy)
- Unclear directions led to mistakes in application
  - Valve described as “red” was not red
  - Trustee turned valve off instead of on
  - No bleach in laundry or washing machine

Empty barrel, no bleach





Inadequate directions



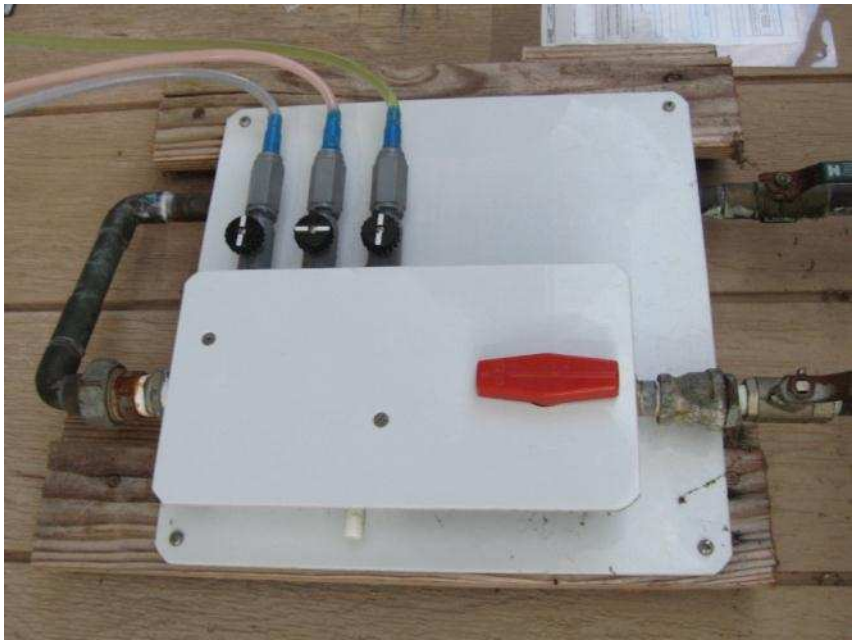
CLEANING INSTRUCTIONS

Monday, Wednesday, Friday, Sunday:

1. Foam on the **PHASE PHIVE** disinfectant by opening red valve # 1. Turn the valve counter-clockwise to a vertical position. Let solution sit on surface for 10 minutes.
2. Rinse with clear water
3. Close valve # 1.
4. Apply **HYDROFOIL** deodorant by opening red valve # 3. Wet floors and walls with solution. DO NOT RINSE OFF.
5. Close valve # 3.

Tuesday, Thursday, Saturday :

1. Foam on the **HUSTLE** detergent by opening red valve # 2. Turn the valve counter-clockwise to a vertical position.
2. Scrub floors and walls with brush.
3. Rinse with clear water.
4. Close valve # 2.



Sanitation: issues (general and dogs)

- No evaluation of health for cats or dogs prior to cleaning; sick animals cleaned prior to healthy animals and juveniles
- Heavy contamination of clothing during cleaning process; no change of clothing after cleaning and prior to further animal handling
- Feces sprayed into drains rather than scooped leading to heavy load on drains, heavy fecal contamination of surroundings and workers
- Runs sprayed with dogs in them; many dogs were wet, filthy and cold for remainder of visit
- Visible clumps of feces remained in runs after cleaning
- Floors remained wet for at least several hours after cleaning
- Trenches were left filled with feces and standing, filthy water for duration of visit

Sanitation: issues (cats)

- Front room cages and crates for cats difficult to clean
- Not thoroughly cleaned ever
- Dirty rag used from cage to cage leading to extensive disease spread
  - Bleach water applied without pre-cleaning
  - Bleach is not a cleaner and is ineffective when applied to a dirty surface
  - Bleach bucket became rapidly contaminated, further inactivating disinfectant activity
- No hand washing or change of gloves between cats, including after handling obviously ill cats (nasal discharge, vomit in cage)
- No spot cleaning (preferred method for cats)
- Trustees report escapes, inadequate tools for managing feral/fractious cats

Sanitation issues: other areas

- Food storage containers, euthanasia room, trustee room and overall shelter appearance was between messy and filthy
  - E.g. “e-collars” in storage were smeared with blood and rat feces
- No cleaning of intake cages between uses
- No sinks in animal areas; hand sanitizer present but not labeled and not observed to be used
- No hot water for laundry or dishes
- Outdoor dish and laundry areas with minimal protection from elements for workers, drainage into soil

Sanitation issues: other areas

- Feces sprayed onto outdoor gravel area from litter pans and cage grates from euthanasia room (including cage housing parvo suspect puppy)
  - Feces present prior to beginning morning cleaning, indicating feces is not routinely removed from this area
- Clean laundry handled and distributed by trustee in filthy clothes after completion of kennel cleaning
- Manager reported bleach is to be used for laundry and dishes, but no bleach present
- No evidence that animal control trucks were sanitized routinely
  - Feces and hair in all cages in animal control truck, no cleaning observed after removal of animal
- Dead body transported in truck compartment without containment, leaking body fluids into compartment also used for live animal transport







Overall shelter and environment



Rodent infestation

- Extensive fresh and dried rat feces (up to 1-2” deep on rafters), rat feces evident in all animal housing areas including in feline litter pans indicating entry into cages, in storage area for canned food and bedding
- Rat infestation can lead to serious human and animal health issue, including potential to transmit debilitating or fatal illness: typhus, leptospirosis, Salmonellosis, others
  - Hazards caused by rats chewing through electrical wires
  - Pervasive odor likely extremely aversive for public and workers
- Ineffective means of control
  - Traps incorrectly positioned, many not set or not baited, suboptimal bait used
  - Traps may not be sufficient to control severe infestation
  - Although evidence of efforts to secure facility, unsecured rat holes were apparent
- http://www.ipm.ucdavis.edu/PMG/PESTNOTES/pn74106.html for more information

Rodent infestation



Food, water and care

- Shelter standards:
  - Food that is consistent with the nutritional needs and health status of the individual **must** be provided.
    - **Ideally, a consistent diet should** be fed to all animals, rather than a variety of products.
  - A soft resting place **should be** made available for all animals to provide comfort and prevent pressure sores from developing.
  - For animals housed long term (> 1-2 weeks), the physical environment must include opportunities for hiding, playing, resting, feeding, and eliminating. For cats, the environment should also allow for scratching, climbing and perching.

Food, water and care: dogs

- Some dogs unable to use automatic waterers, licking filthy disinfectant/water off kennel floor during cleaning
- Co-housed dogs unable to access food or beds
  - Dogs in almost every pen guarded food
  - Some dogs ate all food leaving kennel mate without food
  - No kennel staff or management present during feeding to assess appetite, intervene in fights or make sure dogs got to eat
- Poor quality donated mixed diet fed in excess likely contributed to diarrhea and poor nutritional state, reducing disease resistance even for those dogs that did get to eat
- Many dogs wet and shaking for entire observation period
- Cargo container contained an enormous amount of food, likely some of which will be rancid by the time it is fed

Haphazardly stored food



Food, water and care: cats

- 55 gallon drum of cat food: Trustee reports it has never been emptied while he has been at shelter, likely rancid food at bottom
- Tipped over litter and dishes meant many cats had no clean food or water for the majority of the day
- Litter boxes too small to accommodate some cats
- Cats housed for weeks or months in cages too small to allow normal behaviors such as walking more than a few steps, stretching or jumping






Sutter County Animal Control
03

Intake, vaccinations and parasite control: shelter standards

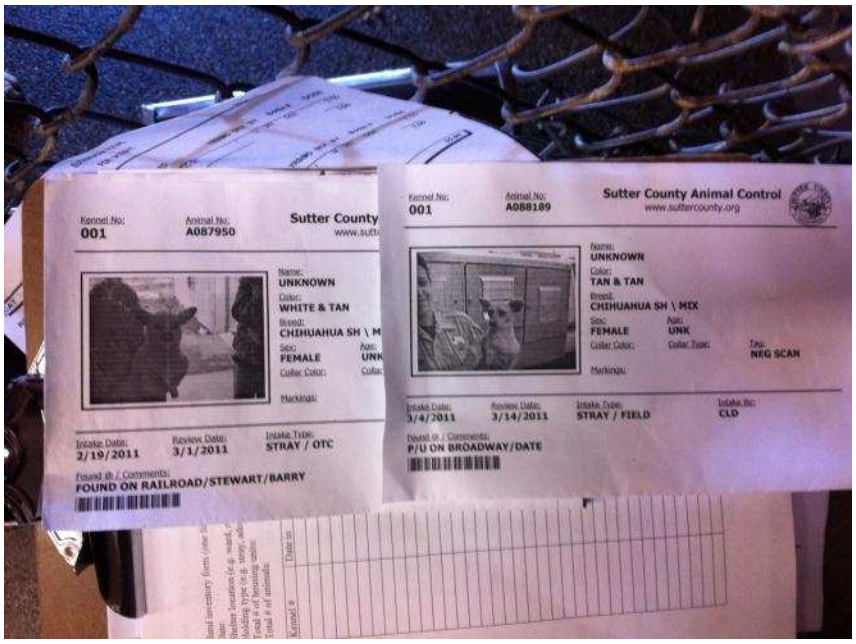
- Each animal's individual health status should be evaluated and monitored beginning at intake.
- Animals **must** be **vaccinated at, or prior to, intake** with core vaccines.
- All dogs and cats **must** be de-wormed for roundworms and hookworms before leaving the shelter.
- Identification should be physically affixed to the animal (e.g., collar or tag) for the duration of the animal's stay unless this poses a safety risk for animals and/or staff.

Intake, vaccinations and parasite control:issues

- Trustees performing intake; inadequate training to recognize illness including zoonotic disease
- Intake area not secure or sanitary
- No vaccinations or parasite control
  - Serious risk of illness; contamination of grounds with pathogens infectious to people
- No identification on animals
  - Multiple identical animals housed in group runs: euthanasia mistakes are probable

Intake area, lack of identification





Afghan Hero Dog Is Euthanized by Mistake in U.S.

By MARC LACEY
Published: November 18, 2010

FLORENCE, Ariz. — When a suicide bomber entered an American military barracks in Afghanistan in February, it was not American soldiers but Afghan stray dogs that confronted him. Target and two other dogs snarled, barked and snapped at the man, who detonated his bomb at the entrance to the facility but did not kill anyone.

RECOMMEND
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Johnny Crawford/Atlanta Journal & Constitution, via Associated Press

Target, right, and Rufus were brought to the United States in July after the dogs thwarted a suicide bomber's plan in Afghanistan.

The dogs were from the Dand Aw
Patan district, in the eastern Paktia
Province near the Pakistani border.
One died of woui
blast, and month
other dog, Rufus
United States by
— who received a
on "The Oprah W
family of Sgt. Ter
witnessed the ani
the dogs and seve

The glory, though, was short-lived. Target, after
family's other dog in Arizona, becoming accusto
door to relieve herself, escaped from her yard. Sl
by mistake.

"My 4-year-old keeps saying: 'Daddy, bring Target home. Daddy, get the poison out,' " Sergeant Young, a father of three, said in a telephone interview, his voice choking with emotion. "Obviously, at first there was extreme anger and horror. Now that a couple of days have passed, the anger has been replaced by sorrow."

Target, not used to being confined, escaped Friday afternoon from Sergeant Young's home in the San Tan Valley area in central Arizona. After being spotted on the loose, she was reported to Pinal County's animal control. Target was brought to the county animal shelter in Florence, where she was held just like any other run-of-the-mill stray. Because she had no tag, microchip or license with the county, her photo went up on the shelter's Web site on Friday in hopes that her owner might respond.

Sergeant Young spotted Target's photo online on Friday and paid the fee by computer to recover her. He mistakenly thought the shelter was closed for the weekend.

By the time Sergeant Young arrived at the pound on Monday, the shelter employee in charge of euthanizing animals that day had apparently picked the wrong dog out of the pen and administered a lethal injection, performing what the shelter referred to as "P.T.S.," or put to sleep.

Monitoring, medical care and sick animal management

- Rounds **must** be conducted at least once every twenty-four hours by a trained individual.
  - Monitoring should include food and water consumption, urination, defecation, attitude, behavior, ambulation, and signs of illness or other problems.
- Allowing animals with severe infectious disease to remain in the general population is **unacceptable**.
- Professional supervision is required for use of all prescription drugs, controlled and off-label medication

Medical care issues

- Sick animals throughout general population
  - Unacceptable risk to impounded animals
  - Risk to community pets
  - Human health risk from zoonotic disease
- ACOs prescribe and administer treatments without veterinary supervision using leftover and donated drugs prescribed for other animals
  - Incorrectly administered doxycycline tablets were being given at incorrect dose
    - Risk of esophageal stricture in cats
    - Expired doxycycline products can be ineffective or even toxic
  - Inadequate treatment records
  - Missed treatments
  - Illegal practice of veterinary medicine

General population







Inappropriate medication









Medical care issues

- Trustees responsible for monitoring and making decisions about health
  - No formal system
  - No apparent shelter staff involvement
  - E.g. skinny boxer puppy with severe nasal discharge; classic signs of distemper
  - Some runs had severe diarrhea and vomit in them, no response from shelter staff, dogs left in throughout cleaning, no notation not to add new dogs to run or warn adopters
- Housing parvo-diagnosed puppy in ER,
    - No precautions for cleaning and handling
    - Manager plans to reintroduce puppy to general population once it's stool is normal; high risk of transmitting parvo throughout shelter
- No parvo tests
  - Decisions made by "smell" and appearance; will lead to missed cases and un-necessary euthanasia

Parvo puppy next to young, highly adoptable Jack Russell pup



Euthanasia: shelter standards

- Animals should not be permitted to observe or hear the euthanasia of another animal.
- Pre-euthanasia drugs should be administered to animals who are aggressive, severely distressed or frightened.
- Acepromazine is not recommended as a sole tranquilizer prior to euthanasia because it provides no analgesia and has unpredictable effects.
- The euthanasia room and equipment should be cleaned and disinfected after every euthanasia period.
- Staff performing euthanasia should wear protective garments, which must be removed before going on to other animal care activities.
- Safety of the personnel and the emotional impact of euthanasia must be considered. Procedures should be in place to prevent and address compassion fatigue throughout the organization, as compassion fatigue and burnout can be serious problems for all shelter personnel, not just those performing the actual procedures.

Euthanasia: issues

- Staff appeared well trained and skillful
- Cluttered, dirty, noisy environment
  - Barking dogs
  - Made it difficult to verify death by auscultation of heart
- No scale
  - Estimating weight could lead to under-dosing
- Only pre-sedation available was acepromazine
  - Inadequate pre-sedation leads to increased stress and risks to animals and staff
  - (Sedation was not needed during our visit but this is concern for any aggressive or fearful animals)

Euthanasia: issues

- Cats not covered, kept in crate on floor
  - Exposure to light and sound increases risk of seizures
- Trustees assist with restraint (emotional impact, physical risk, access to controlled substances)
- No protective clothing
  - Heavy contamination for rest of day
- No clear decision making process led to many animals being euthanized for shelter acquired disease

Barking puppies in euthanasia room, cluttered dirty environment





Euthanasia for shelter acquired disease



Facility, staffing and management

- Although many things could be improved, the current facility is fundamentally insufficient to provide humane, safe care for the number of animals currently being admitted and housed, e.g.
  - Inadequate number and quality of stray and adoptable dog housing units
  - No individual housing for newly admitted and/or aggressive dogs
  - Inability to access back half of runs without crawling through dog door
  - Inadequate number and quality of stray cat holding units
  - Absence of isolation holding areas for sick dogs or cats
  - Absence of indoor areas for laundry, dishes, food prep, behavioral evaluation, intake, etc.

Facility, staffing and management

- Even in an ideal facility of adequate size and with functional management, there is an insufficient number of qualified staff and trustees to provide adequate daily care for the number of animals currently being admitted and housed.
- Animal handling and critical care activities should be performed by trained, skilled and qualified staff
  - E.g. intake, daily monitoring, movement of animals in kennels, treatment, feeding (and ensuring animals are eating), behavioral evaluation, adoption counseling, euthanasia (including restraint)
- Trustees need to be supervised to ensure compliance and understanding of unfamiliar processes. Trustee activities should be limited to those that do not require direct handling of animals, particularly strays of unknown or aggressive temperament
  - E.g. cleaning of vehicles, laundry, dishes, non-animal housing areas; preparation of food dishes and litter pans
- A registered veterinary technician and formal relationship with veterinarian is required to provide for medical care of shelter animals
  - County is on cusp of requirement for spay/neuter before release

Facility, staffing and management

- Even in an adequate facilitate with trained, qualified staff, current management practices are insufficient to maintain safe, humane conditions for animals and provide for functional and efficient operations
  - Absent, inadequate or incorrect protocols
  - Failure to identify and effectively solve problems
  - Insufficient oversight to ensure correct processes and accountability
  - Absent/reactive population management means new facility would become crowded to exceed new housing and/or staff capacity, resulting in a greater daily demand for care with no benefit to live release
  - No current activities to alleviate overpopulation or reduce shelter intake long term in Sutter County

CITYGATE ASSOCIATES, LLC

FOLSOM (SACRAMENTO) MANAGEMENT CONSULTANTS

MANAGEMENT REVIEW FOR THE SUTTER COUNTY ANIMAL CONTROL DIVISION

Final Report

VOLUME 1 OF 2 – MAIN REPORT

August 31, 2007

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CITYGATE ASSOCIATES, LLC

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VOLUME 2 of 2 – Appendix (Separately Bound)

Appendix 1 Hayden and Vincent Laws

Appendix 2 Building the 21st Century Shelter Efficiently

EXECUTIVE SUMMARY

This report presents the results of Citygate Associates, LLC's Management Review of Sutter County's Animal Control Division. Citygate conducted the study between March 2007 and July 2007. The scope of the study included the following:

- Geography and demographics
- Administration
- Field operations
- Shelter operations
- Spay/neuter
- Public education and outreach
- Comparison with other agencies
- Animal shelter replacement.

The Division is responsible for:

- Leash law enforcement
- Dog licensure
- Dog bite investigations
- Investigation and prosecution of animal cruelty cases
- Rabies vaccination clinics
- Animal shelter services
- Animal adoption program
- Community education and outreach
- Dead animal removal and disposal
- Euthanasia and disposal of unwanted and/or diseased animals.

The objective of the study was to analyze the policies, procedures, management and operations of the Animal Control Division and to make recommendations for improving the service provided by the Division to the citizens of Sutter County and to examine and make recommendations relative to the replacement of the current Animal Shelter.

To accomplish this objective, Citygate analyzed the mission of the Division and its overall philosophy. We then evaluated the projected population growth, organizational structure and management systems, organizational relationships, allocation of employees and other resources, data management, personnel management and training, records management, communications, information systems, facilities and equipment, fiscal management, relationships with citizens, employee morale, and related aspects to determine if these are in alignment with the Division's mission and policies and if the Divisions programs and performance are in accordance with best practices in the animal control industry.

We examined the various types of animal shelters being constructed today and contrasted this modern construction with the Sutter County Animal Shelter and other shelters. We also examined animal shelter construction and operating costs and the factors that influence these costs.

ORGANIZATION OF THIS REPORT

Citygate's report on the Management Review of Sutter County's Animal Control Division is organized in sections as follows:

Section I	Introduction to the Study
Section II	Historical Overview and General Description of Animal Control
Section III	Sutter County Geography and Demographics
Section IV	Sutter County Animal Control
Section V	A Comparison With Other agencies
Section VI	Spay Neuter: Getting at the Pet Overpopulation Problem
Section VII	Public Education and Outreach
Section VIII	Animal Shelter Replacement
Appendix	Haden and Vincent Laws, Building the 21st Century Animal Shelter Efficiently

This Executive Summary presents a brief, but comprehensive overview of our findings and recommendations. It is suggested that in order to obtain a complete understanding of Citygate's analysis and recommendations, this report should be read in its entirety.

OVERVIEW OF THE ANIMAL CONTROL DIVISION

The Sutter County Animal Control Division provides an array of important programs including:

- Field service program
- Shelter program
- Animal licensing program
- Spay/neuter program
- Rabies control program
- Education program
- Medical care program
- Shelter sanitation program.

However, the finding that the Division operates these programs does not necessarily mean that they are robust and fully developed by the Division. The fact that a program does not exist in Sutter County, or the fact that existing programs could be better developed or more robust is in most instances attributable to a lack of resources, not a lack of imagination, will, desire or commitment by staff. In addition, the small size of the Animal Control Division limits the ability of the Division to provide some programs that exist in larger agencies.

FINDINGS

- Sutter County, particularly the incorporated area, will undergo significant growth over the next 30 years.
- The Sutter Pointe development has the potential to add 35,000 to 40,000 people in the southern section of the County over the next 20 to 25 years.
- This growth will result in heightened citizen expectations relative to quality animal control service.
- The cities of Yuba City and Live Oak and the County need to develop a strategic plan to match the animal control program to current and future community expectations.
- The County is responsible for operating the animal control program, many aspects of which are mandated by State law.
- Outsourcing animal control service is not a viable option for Sutter County. There are no private non-profit organizations in Sutter County that could take over the animal control field and/or sheltering programs. Other government entities (e.g. Yuba and Butte counties) do not have adequate staffing or sufficient animal holding capacity to accommodate the workload and/or animal sheltering requirements of Sutter County.
- The cities and the County need to examine the current governance model of the County operating the program and determine if this or another model will best serve the community.
- The Division is, in general, well managed, especially given that it is a seriously under-resourced program.
- The Division is run in a professional manner by well qualified personnel laboring in a seriously under-resourced program.
- The Division is performing its responsibilities in a humane manner and in accordance with applicable state regulations and laws.
- The Division lacks a Mission Statement specific to the Animal Control program.
- The 2006-2007 budget for the Division was $830,203. User payment revenue was $180,750. Governmental revenue was $649,453. User payment revenue is subtracted from expenditures and the remainder divided between the cities and the County: Yuba City, $435,378; Live Oak $52,773; Sutter County $161,302.
- Other cost spread methodologies that could be utilized, e.g. number of field calls and/or animals impounded per jurisdiction, would not significantly alter the payments required of the cities in that calls and animals impounded closely match the populations of the jurisdictions and would add additional expense to track and report these metrics. The Chameleon computer system provides the capability to track these metrics if the cities and the County wish to explore charging on a basis other than population. Travel time spent in servicing the unincorporated area of the County could impact cost distribution. However, the allocation of travel time

when going from one jurisdiction to another would add complexity and cost and would likely not significantly alter cost spread. (See Section IV, page 6)

- Cost recovery could be improved by increasing animal license fees and instituting additional fees.
- The animal shelter is open seven (7) days a week.
- Division staffing is not adequate to support a seven (7) day operation.
- Understaffing in the Division is responsible for several program deficiencies. Positions to be added in the 2007-2008 fiscal year will help to alleviate some of these deficiencies.
- Salaries are low compared to other agencies and compared to other classes in the County.
- Division training could be improved by inclusion of classroom components and written and practical tests of proficiency in required knowledge and skills.
- The Division has installed a comprehensive state of the art software system (Chameleon). This software provides the ability to track virtually every Division function and generate reports on Division activities through the "Crystal Reports" report generation software.
- Training on Chameleon and Crystal Reports needs to be strengthened.
- The Division Policies and Procedures Manual provides adequate guidelines to assure efficient operation of office, field and shelter activities. The Manual could be improved in some areas and needs to be updated to include Chameleon procedures.
- The Division website is well organized and user friendly and could be improved by including additional information as set forth in the body and recommendation sections of this report.
- The Division answers approximately 22,000 phone calls and services approximately 10,000 walk-in customers per year.
- The Division is scheduled to lose an extra help position.
- The office workload of the Division cannot be accomplished with one clerical employee.
- A permanent clerical position will be added in the 2007-2008 fiscal year.
- Sutter County consists of 609 square miles and has a population of 93,901.
- The field staff of the Division consists of four (4) Animal Control Officers.
- Of the four (4) Officers, one (1) is on military leave and one (1) one is not fully trained. This leaves one (1) Officer to cover all of the field calls in the entire County four days a week with two Officers to cover the other three (3) days.
- The approved 2007-2008 budget includes two additional Animal Control Officers.

- Field calls are handled in a professional manner and in accordance with standard animal control procedures.
- The philosophy, policies and procedures, personnel training and animal handling techniques of the Division are humane in their conception, design, and execution. Any deficiencies in this regard are the result of an inadequate facility and insufficient staffing which the County is taking steps to rectify.
- The Division's vehicle fleet needs to be modernized relative to animal enclosures and mechanical assistance for loading large animals.
- The Division radio system is in need of revision.
- The allocated staffing of the animal shelter consists of one (1) Kennel Assistant and three (3) inmates from the County Jail.
- The Kennel Assistant position has been vacant for over three (3) years.
- The Division is responsible for sheltering over 4,400 animals a year.
- Animals sheltered from the unincorporated area and the cities are proportional to their respective populations.
- Animal disposition trends over the last five (5) years have been favorable with adoptions and redemptions trending up and euthanasias trending down.
- Animal intakes are trending up which has implications for sizing the new animal shelter.
- The Division lacks an adequate shelter medical program.
- There are a large number of unexplained in-cage animal deaths, particularly cats.
- Staffing of the shelter needs to be increased.
- Use of inmates for shelter tasks makes attainment of best practices relative to safe animal handling, humane animal care, disease recognition and preventions and outstanding customer service difficult to accomplish.
- The Division utilizes a rendering company to dispose of animal carcasses. The cost of this service is currently $16,200 per year. The County would be in a difficult position if this company went out of business. The installation of a crematorium at the new shelter should be considered to reduce costs and guard against service cancellation.
- In a comparison with 12 other animal control programs, Sutter County ranks low in gross cost per capita and in revenue per capita, and is near the median in net cost per capita. The Division ranks near the top in dog and cat intakes per capita and is slightly below the median in terms of animals adopted and redeemed. The Division is near the median in dogs and cats euthanized.
- The Division is complying with State law relative to spay/neuter requirements for shelter animals.
- The Division currently utilizes a certificate program under an exemption for counties with populations under 100,000. This exemption will not be available in

approximately five (5) years. The County needs to begin planning for this change.

- The Division needs to strengthen its spay/neuter and public education and outreach programs.
- The current animal shelter is inadequate relative to space and functionality and needs to be replaced.
- The current Sutter County animal shelter is approximately 20 years old and is in a state of serious disrepair. None of the facility buildings meet Americans with Disabilities Act standards, seismic safety or other life safety standards. The failure of the septic system, the high cost of connecting to the sewer system and the inadequacy of the facility relative to overall design make remodeling the current facility impractical from a functional and cost standpoint. Building a new facility on the current site is impractical because of the size of the property, the need to continue service during construction and the sewer connectivity issue.
- There is a significant rodent infestation problem at the current shelter that needs to be rectified.
- Modern shelter design differs significantly from the current shelter and from those built prior to 1990.
- Modern animal shelter design recognizes that the reduction of companion animal euthanasia requires a multifaceted approach: animal shelters need to be designed with user-friendly adoption areas; policies and procedures need to be in place to enhance adoptions and the return of animals to their owners; and progressive spay/neuter programs need to be instituted and maintained.
- Modern shelters are complex buildings and cost about 30 percent more to build than a comparably sized office building.
- An architect specializing in animal shelters should be retained to design the County's new shelter.
- A new shelter will cost more to operate than the current shelter. Additional staffing, utility, cleaning, and facility maintenance costs need to be anticipated.

ACTION PLAN

A listing of our recommendations and a blueprint for their implementation are presented in the following Action Plan. This plan contains:

- The priority of each recommendation
- The suggested implementation time frame
- The anticipated benefits of each recommendation
- The responsible organization.

The legend at the bottom of each page of the Action Plan defines the level of each priority indicated by the letters "A" through "D." It is important to note that priorities have been established independent of the suggested timeframe. For example, a recommendation may have

the highest priority (indicated by the letter "A") but may require an estimated six months to implement. Conversely, a recommendation with the letter "C" priority, which indicates that the recommendation is not critical but will improve operations, may have a two month timeframe, since the estimated implementation effort would not require an extended period of time.

It is also important to note that an "A" priority, which indicates that the recommendation is deemed "mandatory or critical," should not be interpreted to mean that the recommendation is "mandated" by a statute or regulation – it is simply an "urgent" recommendation of the highest priority.

The timeframes indicated in the Action Plan do not necessarily mean the anticipated completion dates for the implementation of each recommendation.

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
ADMINISTRATION				
Recommendation IV-1: Develop a long-term strategic plan for the Animal Control Division.	A	6 months	Foundation for long-term resource management	Community Services Director; Supervising Animal Control Officer
Recommendation IV-2: Re-examine the governance of the Animal Control program.	B	6 months	Practical program management suitable for Sutter County's unique growth pattern	Board of Supervisors; County Administrator, Yuba City Council, Yuba City Manager, Live Oak City Council, Live Oak City Manager, Community Services Director
Recommendation IV-3: Develop a Mission Statement, Goals and Objectives for the Animal Control Division that defines the purpose of the Division and desired accomplishments.	A	6 months	Inspired program operations; best practices	Community Services Director, Supervising Animal Control Officer
Recommendation IV-4: Staff the Division with the number of personnel necessary to provide quality customer service.	A	6 months	Improves customer satisfaction; best practices	Board of Supervisors, Community Services Director

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation IV-5: Phase out the use of inmate labor.	B	2 years	Improves efficiency and effectiveness; best practices	Board of Supervisors; Community Services Director
Recommendation IV-6: Develop a Performance Management System which measures the extent to which key objectives are being achieved.	A	3 months	Improves efficiency and effectiveness; improves morale; best practices	Administrative Services Officer, Supervising Animal Control Officer
Recommendation IV-7: Develop additional detailed written policies and procedures to aid the day-to-day operation of the Division.	B	1 year	Improves efficiency, effectiveness, and consistency	Supervising Animal Control Officer
Recommendation IV-8: Institute recurrent training in safe vehicle operation.	B	3 months	Provides for employee safety; improves morale	Administrative Services Officer, Supervising Animal Control Officer
Recommendation IV-9: Institute recurrent training relative to the handling of rabies suspect animals and the protocols for rabies testing.	B	6 months	Provides for employee safety; increases public safety; improves morale	Supervising Animal Control Officer, Public Health Staff

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation IV-10: Institute initial and recurrent training in proper lifting and restraint techniques.	B	3 months	Provides for employee safety;	Administrative Services Officer, Supervising Animal Control Officer
Recommendation IV-11: Institute training in Chameleon for all staff.	A	3 months	Increases efficiency and effectiveness	Supervising Animal Control Officer, Administrative Services Officer
Recommendation IV-12: In conjunction with the opening of the new shelter, develop a comprehensive separate manual for clerical, kennel and field activities. Use these manuals as training guides.	B	2 years	Increases efficiency and effectiveness, best practices	Supervising Animal Control Officer
Recommendation IV-13: Test all staff prior to completion of probation and recurrently relative to required knowledge and skills.	A	Ongoing	Increases efficiency and effectiveness; improves employee morale	Supervising Animal Control Officer
Recommendation IV-14: Conduct a training needs assessment and provide training to all employees.	B	6 months	Increases efficiency and effectiveness	Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation IV-15: Increase salaries paid in the Division.	A	6 months	Increases efficiency and effectiveness; stabilizes organization; attracts talent	Board of Supervisors, Community Services Director
Recommendation IV-16: Increase the fee structure of the Division.	A	6 months	Increases cost recovery; reduces dependence on the General Fund	Board of Supervisors, Community Services Director
Recommendation IV-17: Institute an administrative fee to clear a "failure to license citation."	B	6 months	Increases cost recovery; reduces dependence on the General Fund	Board of Supervisors, Community Services Director
Recommendation IV-18: Reduce shelter and clerical staff hours by closing to the public Sunday and Monday.	A	Immediately	Increases efficiency and effectiveness; employee morale	Board of Supervisors, Community Services Director
Recommendation IV-19: Modify the Division's website to include report recommendations. (See Section IV, page 22)	B	3 months	Clarity, ease of use	Administrative Services Officer, Supervising Animal Control Officer, IT Staff

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
FIELD OPERATIONS				
Recommendation IV-20: When Animal Control Officer staff is increased consider changing the current shift schedule to provide coverage before 8:00 AM, after 5:00 PM.	B	6 months	Increases efficiency and effectiveness	Community Services Director, Supervising Animal Control Officer
Recommendation IV-21: Provide ballistic protective vests to those officers who wish to wear them.	A	3 months	Officer safety	Community Services Director, Supervising Animal Control Officer
Recommendation IV-22: Utilize the Chameleon system to generate field performance reports. Use these reports to evaluate and motivate field staff.	B	3 months	Increases efficiency and effectiveness	Supervising Animal Control Officer, Administrative Services Officer, IT Staff
Recommendation IV-23: Order future animal control vehicles with more modern animal control compartments.	B	1 year	Increases efficiency and effectiveness	Community Services Director, Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation IV-24: Order future animal control vehicles with ramps and either lift-gates or winches.	B	1 year	Increases efficiency and effectiveness	Community Services Director, Supervising Animal Control Officer
Recommendation IV-25: Order the next animal control vehicle with four-wheel drive.	B	1 year	Increases efficiency and effectiveness; increases officer safety	Community Services Director, Supervising Animal Control Officer
SHELTER OPERATIONS				
Recommendation IV-26: Contract with a veterinarian conversant with public animal shelter issues and/or the University of California at Davis in order to determine the cause of shelter animal deaths and develop solutions for this problem.	A	Immediately	Reduce public liability exposure; increases efficiency and effectiveness	Community Services Director, Supervising Animal Control Officer
Recommendation IV-27: Replace the current cat enclosures with stainless steel cages and replace the current furniture in the trustee rest area with something that can be removed and sanitized.	A	Immediately	Reduce feline deaths	Community Services Director, Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation IV-28: Take whatever steps are necessary to control the rodent problem at the shelter.	A	Immediately	Reduce shelter diseases	Community Services Director, Supervising Animal Control Officer
Recommendation IV-29: Paint all masonry block walls with epoxy based paint and seal concrete flooring.	D	6 months	Reduce shelter diseases	Community Services Director, Supervising Animal Control Officer
Recommendation IV-30: Install a crematory unit in the new shelter.	D	2 years	Increases efficiency and effectiveness	Community Services Director, Supervising Animal Control Officer
SPAY AND NEUTER				
Recommendation VI-1: Expand existing countywide spay/neuter programs.	A	1 year	Reduce euthanasia	Community Services Director, Supervising Animal Control Officer
Recommendation VI-2: Establish/extend relationships with local non-profit groups.	B	3 months	Reduce euthanasia	Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation VI-3: A shuttle program, as set forth in Section VI, page 9, should be studied relative to its possible effectiveness in Sutter County.	D	1 year	Reduce euthanasia	Supervising Animal Control Officer
Recommendation VI-4: Conversations should be initiated between the County and the Yuba-Sutter SPCA relative to the effective utilization of the resources of the two agencies.	B	3 months	Reduce euthanasia	Supervising Animal Control Officer
Recommendation VI-5: More closely monitor spay/neuter deposit follow-up actions.	A	Ongoing	Reduce euthanasia	Administrative Services Officer, Supervising Animal Control Officer
Recommendation VI-6: Implement an outreach and advertising program to inform citizens of available spay/neuter programs.	B	1 year	Reduce euthanasia	Community Services Director, Supervising Animal Control Officer
Recommendation VI-7: Consider targeting low-income residents for spay/neuter financial assistance.	B	1 year	Reduce euthanasia	Board of Supervisors, Community Services Director, Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation VI-8: Make provisions for complying with existing state law when Sutter County's population exceeds 100,000.	A	1 year	Reduce euthanasia	Board of Supervisors, Community Services Director, Supervising Animal Control Officer
Recommendation VI-9: Monitor AB 1624 (Levine) if it is reintroduced and be prepared to comply with its provisions.	D	Pending	Reduce euthanasia	Administrative Services Officer, Supervising Animal Control Officer
Recommendation VI-10: Contact Maddie's Fund to explore the possibility of establishing a partially funded joint public-private spay/neuter effort. (http://www.maddiesfund.org/)	D	3 months	Reduce euthanasia	Community Services Director, Supervising Animal Control Officer
PUBLIC EDUCATION AND OUTREACH				
Recommendation VII-1: Recognize the importance of a comprehensive public education/outreach program.	A	3 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Board of Supervisors, County Administrator, Community services Director, Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation VII-2: Make the establishment of the public education program a performance goal of the Community Services Department.	A	3 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	County Administrator, Community Services Director
Recommendation VII-3: Develop an outline for the public education program to include attainable goals and objectives.	A	3 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Supervising Animal Control Officer
Recommendation VII-4: Meet with the County superintendent of schools to obtain his/her support and commitment for the public education program.	B	3 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Community Services Director, Supervising Animal Control Officer
Recommendation VII-5: Develop a budget for the public education program.	A	3 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Administrative Services Officer, Supervising Animal Control Officer
Recommendation VII-6: Obtain Board of Supervisors approval of the public education program, its goals and objectives and financing.	A	3 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Board of Supervisors, Community Services Director

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation VII-7: Recruit and train public education program presenters.	A	6 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Supervising Animal Control Officer
Recommendation VII-8: The Supervising Animal Control Officer should meet with the leader of every group currently working with the Division and ascertain how the Division and the group can increase the number of animals released to these groups particularly hard to place older/large dogs.	B	6 months	Reduce animal bites; reduce community violence; reduce euthanasia; reduce animal impounds	Supervising Animal Control Officer
REPLACEMENT OF THE ANIMAL SHELTER FACILITY				
Recommendation VIII-1: Establish a Capital Facility Fee to partially cover costs for a new animal control facilities.	A	3 months	Reduce dependency on the General Fund	Board of Supervisors

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation VIII-2: Construct a modern, fully enclosed animal shelter and administrative facility designed to successfully accommodate the County's anticipated growth over the next 30 years.	A	2 years	Increases efficiency and effectiveness; increase adoptions; reduce euthanasia; improve public perception of the County, cities, Community Services, Animal Control Division; improve employee morale; reduce public liability exposure	Everybody
Recommendation VIII-3: Pursue an SB 90 reimbursement claim for a portion of the new animal shelter facility.	A	2 years	Reduce dependency on the General Fund	Administrative Services Officer, Supervising Animal Control Officer
Recommendation VIII-4: Hire an architect with extensive direct experience designing animal shelter facilities.	A	3 months	Increase efficiency and effectiveness for the long-term; ensure program goals are enhanced; plan for the future	Community Services Director
Recommendation VIII-5: Follow the program/design process detailed in Section VIII of this report.	A	6 months	Increase efficiency and effectiveness for the long-term; ensure program goals are considered	Community Services Director, Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

CITYGATE ASSOCIATES, LLC

ACTION PLAN

Recommendation	Priority A/B/C/D	Time Frame for Implementation	Anticipated Benefits	Responsible Party(ies)
Recommendation VIII-6: Discuss the location of the new shelter with Yuba City representatives to determine if the proposed location or another location will best serve the needs of the community.	A	6 months	Increase efficiency and effectiveness for the long-term; improve public perception; more adoptions	Board of Supervisors, Yuba City Council, Yuba City Manager, Community Services Director
Recommendation VIII-7: Transition to fully paid staff, and away from dependence on inmate labor, in conjunction with the completion of a new animal shelter.	B	2 years	Increases efficiency and effectiveness	Board of Supervisors, County Administrator, Community Services Director, Supervising Animal Control Officer
Recommendation VIII-8: Limit inmate presence to those hours when the public is not present.	B	9 months	Increases efficiency and effectiveness; improves public perception	Community services Director, Sheriff, Supervising Animal Control Officer

LEGEND
A Recommendation mandatory or critical
B Strongly recommended
C Not critical, but will improve operations
D Recommended, but additional study required

SECTION I—INTRODUCTION TO THE STUDY

STUDY SCOPE AND OBJECTIVES

The study scope of Citygate Associates, LLC's engagement covered all major program areas of the Sutter County Animal Control Division, which serves Live Oak, Yuba City and unincorporated Sutter County. The scope was developed by County staff with Yuba City input. The project includes an examination of the office operations, shelter operations, field operations, spay/neuter and education programs, community relations, and facilities replacement options. Specific areas for examination identified in the County's scope of work include the following:

- Review of current operations and facility
- Evaluation of current operational process (meeting regulations/laws)
- Evaluation of current facility
- Evaluation of the level of service
- Evaluation of staffing levels including trustee use
- Evaluation of current documents/software
- Evaluation of current site expansion
- Comparison of construction of "adoptional" space with other options
- Evaluation to ensure that the service is humane
- Evaluation of community contact and awareness
- Evaluation of the condition of the vehicle fleet.

The objective of the study was to analyze the policies, procedures, management and operations of the Sutter County Animal Control Division. The specific focus of the management review addresses issues related to:

- Recommendations for immediate operational process improvement
- Recommendations for immediate facility improvement
- Provision of alternative methods to provide service suggest
- Per capita cost comparison with other agencies
- Cost spread alternatives and methodologies
- Staffing level recommendations
- Recommendations for providing service in the future
- Evaluation of possible outsourcing of animal control services
- Evaluation of current and future facility needs.

Within this study scope, we defined several objectives that, once accomplished, would help determine if the Animal Control Division is successfully providing its services in an efficient, effective, timely and responsive manner. These study objectives include:

- Determining if the Division's mission, goals and objectives are clearly specified and adopted as guidelines for the allocation of organizational resources
- Evaluating if the Animal Control Division provides a clearly defined, comprehensive set of services that are well planned and executed
- Assessing the aspects within the Animal Control Division that are most critical to successful organizational performance
- Evaluating the efficiency and effectiveness of the organization to ensure that service levels are as high as possible given existing resource constraints, and determining if the reallocation of resources would result in improved services or cost savings
- Providing realistic and implementable recommendations to help the Animal Control Division improve its overall effectiveness and meet the needs of the residents of Sutter County
- Providing recommendations for the replacement of the existing animal shelter inclusive of location, current and future needs, alternative building methodologies, staffing and projected cost to operate a new modern shelter.

The study scope performed by Citygate Associates included neither compliance nor financial audits as a part of its work.

STUDY APPROACH

In conducting the study, and to address the study objectives described above, Citygate outlined an approach that would facilitate the effective gathering of necessary information. This process included:

- Meeting with the County's assigned project staff to initiate the study
- Interviewing County staff members, Yuba City staff members, Executive Director of the Sutter County SPCA, and the current Animal Control Supervisor to obtain their perspectives
- Reviewing the General Plans of Sutter County, Yuba City, and Live Oak
- Reviewing state, regional and local population projections
- Performing walkthroughs of offices and facilities, interviewing selected County officials and employees of the Division to gain their perspective on the functions and operations of the Division and identify issues
- Interviewing County and City stakeholders
- Observing operations and reviewing available documents and records
- Observing field operation procedures
- Conducting Web-based research
- Performing "best practice" comparisons with several well-run public shelters in California

- Presenting findings to the County leadership staff to confirm the issues and direction of the study.

Throughout this process, it was Citygate's policy to review findings of the study with multiple sources in order to increase the accuracy of findings and data used in the report. The data were also presented and discussed with the Animal Control Division Manager to allow an opportunity to describe the organizational operations.

BEST PRACTICES FOR ANIMAL CONTROL

A number of national animal organizations publish documents on recommendations for process improvements and best practices in animal control operations. The following list is not intended to be comprehensive, but includes many recent and recurring recommendations that may be applicable to Sutter County.

- A strategic plan that maps a future direction for the organization.
- A clearly defined mission statement and goals and objectives
- Clearly defined performance standards and goals
- Current, regularly updated Policies and Procedures Manual
- A standardized training program specific to individual job duties
- Spay and Neuter program and outreach
- Regular staff meetings and communications between all layers of the organization
- A structured volunteer program with policies and guidelines
- An emphasis on excellent customer service
- Appropriate use of information technology
- Professional and knowledgeable leadership
- Infrastructure that supports necessary administrative functions, such as responding to the press, processing requests for information, responding to surveys, program analysis and report writing, filing of SB 90 claims, answering Grand Jury inquiries
- A well designed and informative website
- Public accessible business hours
- Financial resources adequate to support the program
- Cost recovery efforts that seek to reduce the percentage of general fund support
- Adequate facilities
- A safety program specific to the requirements of an animal control program
- An education program that supports the mission statement and goals and objectives of the agency.

REALISTIC EXPECTATIONS

This report will examine the many programs and functions of the Sutter County Animal Control Division and, as noted above, will contrast the current state of the Division with "best practices" in public sector animal control. These observations are not to be taken as criticisms of the personnel of the Community Services Department or of the Animal Control Division. We have been impressed with the professionalism and dedication of all the personnel with whom we have had contact. The fact that a program does not exist in Sutter County, or the fact that existing programs could be better developed or more robust is in most instances attributable to a lack of resources, not a lack of imagination, will, desire or commitment. In addition, the small size of the Animal Control Division limits the ability of the Division to provide some programs that exist in larger agencies.

SECTION II—HISTORICAL OVERVIEW AND GENERAL DESCRIPTION OF ANIMAL CONTROL

In the United States, efforts to protect and control domestic animals, primarily horses, dogs, and cats, began early in the 19th century.

In April 1866, the New York legislature passed a charter incorporating the American Society for the Prevention of Cruelty to Animals (ASPCA). Nine days later, the first anti-animal cruelty law was approved by the New York Legislature, and the ASPCA was given the right to enforce the law. The first anti-animal cruelty laws were designed to protect farm and work animals, primarily horses.

On April 18th, 1868, the San Francisco Society for the Prevention of Cruelty to Animals (SPCA) received its charter from the State of California, becoming the fourth SPCA in the nation and the first animal welfare organization west of the Rockies. By 1888, 37 of the then 38 states had passed animal cruelty prevention laws and humane societies, and animal shelters were opening across the nation.

Although the early efforts focused primarily on horses, the SPCA also protected dogs and cats. In the late 1800s, dogs were often used to pull small carts and to turn treadmills. Many of these working dogs roamed the streets and scavenged for their food. According to the SPCA, animal control practices at that time consisted of rounding up several hundred dogs per day from the streets in Manhattan, placing them in a cage, and drowning them in the East River. Dog catchers were paid by the animal, not the hour. Thus, they were not particularly concerned with locating the owner of strays. Abuses became so prevalent that in 1894 the SPCA was placed in charge of New York City's animal control.

Throughout the 1900s dogs and cats became more prevalent as pets. In the 1950s and 1960s, canned pet foods and cat litter were introduced, making house pets even more popular. As pet ownership and life expectancy increased, controlling the rate at which animals reproduced became an increasing problem. Spay and neuter, although available, was not widely promoted until the mid-1970s. As pet populations increased, humane societies changed the focus of their animal shelters towards the adoption of dogs and cats as pets.

Municipal animal control and sheltering evolved as the overall development of animal cruelty prevention laws and humane societies spread. Originally, municipal animal control activities centered on impounding dogs to protect livestock. In 1937, at the height of a statewide rabies epidemic in California, laws were enacted to prevent the spread of rabies through impoundment, vaccination, and quarantine of biting animals. Originally, little was done to expedite the return of impounded animals to their owners and few resources were expended in adopting impounded animals.

PUBLIC AGENCY ANIMAL CONTROL ORGANIZATION PLACEMENT

The nexuses that have influenced organizational placement of the animal control function are the law enforcement nature of the field work (Penal Code), the early emphasis on protection of livestock (Food & Agriculture Code), and the public health concerns relative to rabies control (Health & Safety Code). Therefore, at the county level, animal control is predominately found in

sheriff's offices, agriculture departments and health departments, but may also be found in general services departments, community services departments, or as stand-alone departments in larger counties. At the city level, placement in police departments still predominates, but the function can also be found in general services departments (Sacramento City) or park and recreation departments (San Jose).

Other organizational structures have been successful in California. Two of the most utilized are joint powers authorities and contracting with non-profit animal welfare organizations.

Joint Powers Authority

"The ***Joint Exercise of Powers Act*** is the legal basis for extensive contracting at the option of any two or more governmental units. To share costs, avoid duplicate efforts, or secure better facilities, cities often cooperate with other cities under this act, and frequently contract with special districts or counties for the purchase of services. In Los Angeles County such city-county contracts cover fire protection, law enforcement, jails, building inspection, personnel services, street sweeping, lighting, libraries, hospitals, animal control, and weed abatement. While the Los Angeles basin is the major location of such "contract" cities (cities that contract for nearly all services), selective contracting out is now widespread, especially since Proposition 13 in 1978. Cities contracting with their counties for most of their municipal services are said to operate under the Lakewood Plan."[1]

Formation of a Joint Powers Authority (JPA) to provide regional animal control services has been successful in some communities. A JPA can be formed as a partnership of entities where each member holds a position on a governing commission. Commission members are usually city council members or other elected officials. The commission sets policy for the organization, authorizes budgets and oversees the agency. Usually one member agency performs fiscal operations and payroll and provides other administrative functions. Examples of this form of governance are Southeast Area Animal Control (SEAACA) which has provided animal control service to 12 cities in Los Angeles County for 32 years and the Santa Cruz County Animal Services Authority (ASA). The ASA has served the County of Santa Cruz and the cities of Santa Cruz, Scotts Valley, Capitola and Watsonville for the last five (5) years.

Animal control JPAs are most effective when grouping small agencies that could not provide effective service on their own or when no agency is willing to take the lead role in providing animal control service under a contractual relationship. Benefits are: reduction of administrative overhead, increased economy of scale and the ability to offer programs usually associated with larger agencies, (e.g. education program, outreach adoptions, spay/neuter program, shelter medicine program, etc.).

Converting the current contract between Sutter County and Yuba City and Live Oak to a JPA would offer no apparent advantage for any of the agencies. The only practical animal control JPA for Sutter County would involve a partnership with Yuba County and/or Marysville.

Yuba County

Yuba County recently completed a new animal shelter. An increase in the rate charged to Marysville under the animal control contract led the City to cancel the contract. Marysville is

[1] California State Government Guide to Government from the League of Women Voters of California

currently contracting with the Northwest Society for the Prevention of Cruelty to Animals in Oroville for shelter services. Citygate believes that a JPA with Yuba County and Marysville would be worthy of discussion given the close proximity of the major population centers (Yuba City and Marysville). However, given the reluctance of Marysville to continue its contract with Yuba County because of cost concerns, it is doubtful that they would want to participate in a program of the scope necessary to improve animal control in the community.

Citygate visited the Yuba County shelter. Unfortunately, the shelter is not large enough to accommodate the current, let alone future, animal volume of Sutter County without expansion. The shelter was designed to accommodate expansion of its dog kennels. Expansion of cat and small animal holding areas would need further study.

Butte County

Contracting with Butte County is not a viable option because of travel distance and lack of holding capacity. Butte County currently contracts with the North West SPCA in Oroville for field and shelter service. The SPCA also provides sheltering service to Oroville and Marysville. We contacted the SPCA and they report that they do not have sufficient kenneling capacity to absorb the animal volume generated by Sutter County or Yuba City. In addition it is approximately 30 miles from Yuba City to Oroville and approximately 60 miles from Knights Landing. See Butte County Grand Jury report for additional information: http://www.buttecounty.net/Portals/0/Grand%20Jury%20Report%2005-06/Part-A.pdf

Contracting for Animal Control Service

The State has given boards of supervisors the authority to contract for animal control services. These provisions are contained in Food and Agriculture Code section 31106:

"The board of supervisors may appoint proper persons to take up, impound, and kill dogs pursuant to this division or it may enter into a contract with any humane society or other organization or association which will do both of the following:

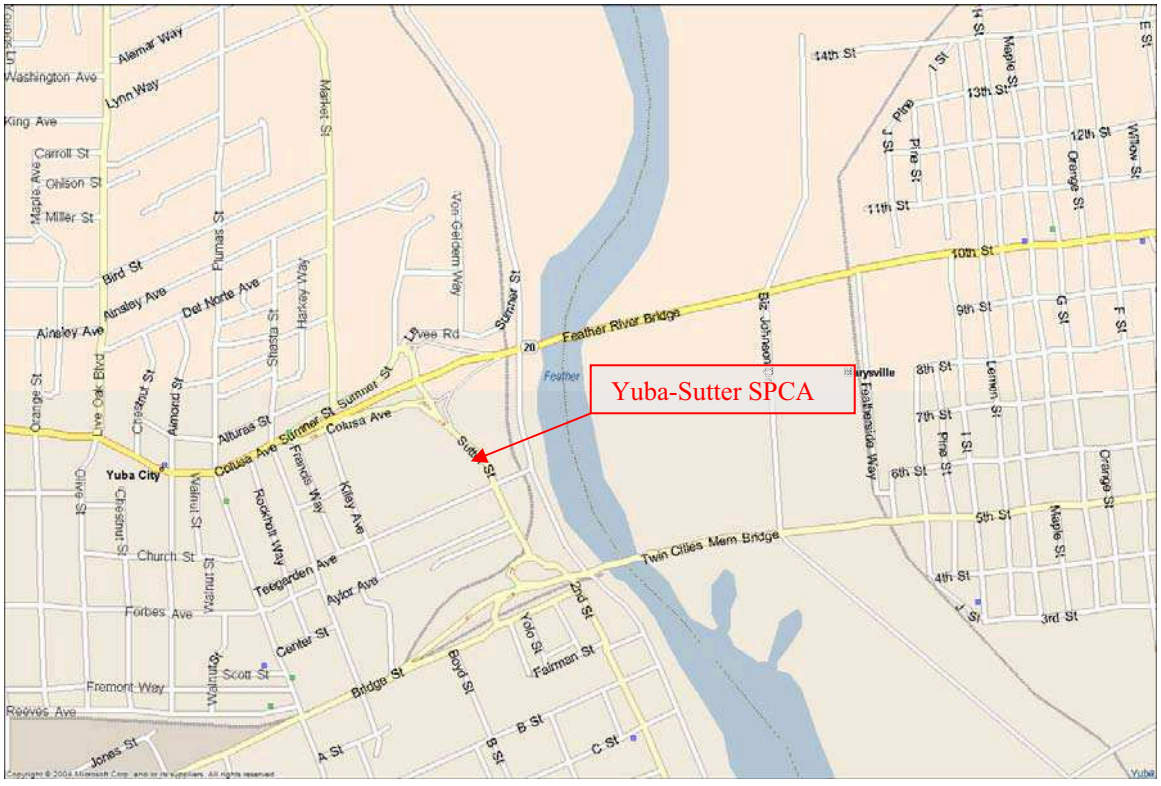
> "(a) Undertake to carry out the provisions of this division regarding the taking up, impounding, and killing of dogs.
>
> "(b) Give a proper bond in whatever amount may be fixed by the board of supervisors for the faithful performance of the contract."

The most common model of this type is contracting with a humane society/SPCA to provide sheltering and/or full services. This is often done in smaller communities where the numbers of animals impounded are relatively low. An advantage for a county to this type model is that the county does not have to provide or maintain the animal shelter facility, or in the case of full services, the vehicles, radios, uniforms, computers and a variety of other equipment required to operate the program. The disadvantage is a loss of direct oversight and control. The public entity is also placed in a disadvantageous position relative to negotiating the contract rate in that the humane society/SPCA can cancel the contract leaving the public entity in the position of having to create an animal control program, inclusive of an animal shelter, in a short period of time. Since the passage of Senate Bill 1785 (Hayden) in 1998 and the focus on reducing euthanasia in animal shelters, the trend in California has been for private humane societies to give up these animal control contracts due to the increased cost and mandates of the Hayden Bill.

At one time, the San Francisco SPCA provided animal control and sheltering service to the City and County of San Francisco; the Silicon Valley Humane Society provided animal control and shelter service to the City of San Jose and 8 other cities in Santa Clara County; the Monterey County Humane Society provided animal control and sheltering service for Monterey County and all 12 cities; and the Santa Cruz SPCA provided animal control and sheltering service for Santa Cruz County and all 4 cities. All of these contracts were cancelled by the humane societies/SPCAs. These cancellations, with the exceptions of the Silicon Valley Humane Society and San Francisco SPCA, were done with very little notice. This forced the public agencies to establish animal control programs and animal shelters from scratch.

We are aware of only three California counties (Fresno, Marin and San Mateo) that currently contract for animal control service with humane societies/SPCAs. Humane societies/SPCAs more frequently contract with cities. For example, of the 89 cities in Los Angeles County, 42 contract with the County, 12 contract with the Southeast Area Animal Control Authority (SEACA), a joint powers authority (JPA), 7 contract with the Pasadena Humane Society, 5 contract with the Inland Valley Humane Society/SPCA and 4 contract with the San Gabriel Humane Society. City contracts have also been cancelled by humane societies. For example, Sonoma County Humane Society cancelled its contract with the City of Santa Rosa in 2001.

Contracting for animal control field and/or sheltering service is not a viable option for Sutter County. The largest non-profit animal welfare organization in Sutter County is the Yuba-Sutter SPCA, located at 745 Sutter St. in Yuba City.



The SPCA was founded in 1995 and employs three part-time employees and utilizes approximately 30 volunteers to provide spay/neuter, vaccination, education, limited adoption and foster care services. The SPCA is not large enough to take over the animal control function for Sutter County. The task of starting an animal control/sheltering program of the size necessary to manage the current, let alone future population of the County is not within the current capabilities of the SPCA.

THE EUTHANASIA DEBATE

The fate of unwanted animals needs to be addressed when a community considers examination of its animal control program and replacement or remodeling of its animal shelter. All who read this report need to realize that there is a huge divide between those who care passionately about this issue and those who are ambivalent about animals or even outright hostile to the idea of spending public funds on anything other than the efficient killing of stray or unwanted animals.

The desire to reduce – if not eliminate – the killing of adoptable animals has in part driven the replacement of old, outmoded animal shelters and has significantly influenced how these buildings are designed and operated.

Several national organizations have adopted policies and guidelines that can be used by community leaders when trying to develop workable policies to guide the public agency tasked with caring for a community's stray and unwanted animals. We will include these positions in this section of the report

ANIMAL REPRODUCTIVE CAPACITY

The reproductive capacity of dogs and cats far exceeds that of humans. The Humane Society of the United States has calculated that one female dog and her progeny can produce more than 67,000 offspring in seven years. One female cat can produce more than 430,000[2] offspring. No, these are not typographical errors. The numbers represent a maximum that is not attainable because it is based on the assumption that all animals in a population can and do breed to their maximum biological capacity, and live long enough to reach their reproductive potential. However, the breeding potential gives some idea of the magnitude of the problem facing animal control agencies.

FULL ACCESS PUBLIC SHELTERS

Private, non-profit humane societies can be selective relative to the number and type of animals that they take in and care for. A public shelter cannot adopt this operational model and fulfill its responsibility under the law relative to the impoundment of stray animals and rabies control (Division 14 of the State Food and Agriculture Code, Sections 121575-121710 of the State Health and Safety Code and Sections, 2606, 2606.2 and 2606.4 of the California Code of Regulations).

[2] HSUS Web Site http://www.hsus.org/pets/issues_affecting_our_pets/pet_overpopulation_and_ownership_statistics/hsus_pet_overpopulation_estimates.html

Many well-intentioned individuals ignore this basic fact when calling for their public shelter to "become a no-kill shelter." The Sutter County animal shelter impounds stray dogs and cats and accepts all owner-relinquished animals. Some of these animals will not be adopted because of health, age, timidity, size, aggressive behavior or other behavioral issues.

HSUS STATEMENT ON LIMITED-ADMISSION ANIMAL SHELTERS [3]

The following is an excerpt from the Humane Society of the United States magazine *Animal Sheltering*, September-October 1997.

Admission Policies

"Limited-admission animal shelters vary widely in scope and philosophy. However, they are distinguishable from open-admission shelters primarily by the fact that they choose not to euthanize animals in response to the tragic problem of companion animal overpopulation. As a result, these organizations limit the number of animals they will accept because they lack the space and/or resources necessary to properly care for the numbers of animals they would otherwise receive. Limited-admission shelters keep or foster all animals they choose to admit until the animals can be placed in adoptive homes or die of natural causes (many do euthanize suffering or aggressive animals).

"When a limited-admission shelter does not accept every animal brought to it the HSUS believes that the organization has an ethical mandate to ensure that there is an animal shelter in the community whose doors are open to all homeless and unwanted animals. Where no such shelter exists, an organization that turns away a stray or owned animal until space opens up at the shelter risks losing that animal to abandonment or some other cruel fate, and bears partial responsibility for that fate.

"In short an organization that chooses not to accept every animal can *supplement* an open-admission animal shelter, but it cannot *substitute* for one."

Fund-Raising and Public Relations

"Organizations that choose not to euthanize animals, like all organizations should, strive to be forthright with the public. The HSUS strongly believes that it is unethical for a limited-admission shelter to advertise that it "does not kill animals" without also acknowledging publicly that the shelter does not accept every animal brought to it. Moreover, a limited-admission organization's fund-raising solicitations should acknowledge that the shelter's ability to choose *not* to euthanize homeless animals depends in part upon the existence of animal shelters that *do* so. To fail to be forthright about the realities of pet overpopulation is to create in the public's mind the false and harmful perception that every animal shelter could choose to end companion animal euthanasia without disastrous animal suffering resulting from that decision."

[3] Animal Sheltering Magazine The Euthanasia Debate September/October 1997 P 18

SHELTER SIZE AND EUTHANASIA RATE

A shelter must be of a size consistent with the inflow of animals, taking into consideration the redemption, adoption and immediate euthanasia of severely sick and injured animals.

Approximately 45 percent to 50 percent of the square footage of a modern shelter is devoted to the housing of dogs. If, in a hypothetical case, a shelter has 100 dog kennels, impounds 25 dogs a day, returns 5 to owners each day and adopts 5 each day, the shelter will fill all of its kennels in seven days. If the shelter is doubled in capacity, it will be full in 14 days.

Extending the holding periods for animals gives some animals a longer time to be redeemed or adopted. However, many animals are abandoned by their owners, and there are more animals than available homes. Extended holding periods also place animals at risk relative to the contraction of contagious diseases that are present in shelters from time to time despite the best efforts of shelter personnel to control this factor.

The current legal holding period for shelter animals in California is six days plus the day of impoundment. This can be reduced to four days if the shelter is open one weekend day or one weekday evening until 7:00 P.M. Extending the holding period beyond the legal minimum can have a positive effect on the euthanasia rate if there is a concerted effort to increase adoption and redemption rates and increase the number of animals that are spayed/neutered.

If, in the above example, adoption and redemption rates are increased by 20 percent, i.e. one more animal per day is adopted and redeemed, it will take eight days to fill the shelter if it had 100 kennels and 16 days if it had 200 kennels. If, on the other hand, the same 20 percent reduction is applied to animal impoundment, it would take 10 days to fill if it had 100 kennels and 20 days if it had 200 kennels. If all of these strategies were combined, it would take 13 days to fill if it had 100 kennels and 25 days if it had 200 kennels. This example can be repeated using any size shelter, and the result will always be that you reach a point where some animals need to be killed to make room for those animals coming into the shelter. Until the number of animals being redeemed and adopted equals the number impounded, there will always be animals euthanized at public shelters.

WHAT NATIONAL HUMANE ORGANIZATIONS SAY ABOUT EUTHANASIA

Humane Society of the United States (HSUS)[4]

"The euthanasia of animals has been acknowledged by most animal protection organizations, including the HSUS, as an appropriate and humane means of ending the suffering of an animal in physical distress. It is also used widely to end the lives of animals that have severe behavioral problems, including aggression, and cannot be adopted into an appropriate new home because they pose a threat to the health and safety of people or other animals.

"The use of euthanasia to end the lives of healthy, adoptable animals is more controversial. The practice is still conducted in many parts of the United States for dogs and cats because open-admission shelters and animal control agencies do not turn away animals and do not have sufficient space to house all of the animals that need shelter. These public and private facilities

[4]HSUS Web Site http://www.hsus.org/about_us/policy_statements/statement_on_euthanasia.html

face the lose-lose choice of euthanizing healthy animals or turning them away. The HSUS advocates the use of a wide range of tools—including training and education of the pet-keeping public to reduce the frequency of animal relinquishment, public and private spay and neuter programs to slow the birth rate for animals, active promotion of adoptions of shelter animals, and aggressive policies to discourage excessive breeding of animals, especially from puppy mills—to create a social environment where the number of people seeking to adopt animals is roughly equivalent to the number of homeless animals."

People for the Ethical Treatment of Animals (PETA)[5]

"Some animals who make it into open-admission shelters are reclaimed by their guardians or adopted into new homes. But the sad fact is that there are far too few good homes for unwanted animals. Even if there were enough good homes to take in unwanted animals, many animals ending up in animal shelters are truly un-adoptable. Dogs and cats are often taken to shelters because of serious health conditions such as parvovirus, contagious mange, upper respiratory infections, fungal infections, and even broken limbs. Some are given up because of severely aggressive behavior. Many dogs have lived their whole lives on chains or in tiny, filthy pens and are generally un-socialized or fearful of people. Most potential adopters are looking for small, cute, housebroken puppies without medical problems. Few who walk into shelters want to adopt the sick, injured, or aggressive animals they will see there.

"Fortunate homeless, unwanted animals who aren't adopted from shelters in a timely manner and are not claimed by their families receive painless, peaceful deaths in loving arms by way of an intravenous injection of sodium pentobarbital. **This—and only this—is true euthanasia**, a good death. Euthanasia is a kindness, often the only kindness ever known for animals who are born into a world that doesn't want them, has not cared for them, and ultimately has abandoned them to be disposed of as "surplus" beings."

Asilomar Accords[6]

"We acknowledge that the euthanasia of healthy and treatable animals is the sad responsibility of some animal welfare organizations that neither desired nor sought this task. We believe that the euthanasia of healthy and treatable animals is a community-wide problem requiring community-based solutions. We also recognize that animal welfare organizations can be leaders in bringing about a change in social and other factors that result in the euthanasia of healthy and treatable animals, including the compounding problems of some pet owners'/guardians' failure to spay and neuter; properly socialize and train; be tolerant of; provide veterinary care to; or take responsibility for companion animals."

LEGAL BASIS FOR ANIMAL CONTROL

All states have enacted laws relative to the regulation of animals and certain interactions of people with animals. These laws fall into several broad categories:

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[5] PETA Web site http://www.helpinganimals.com/f-overpop3.asp

[6] Principals developed by leading humane organization leaders see: http://www.hsus.org/pets/pets_related_news_and_events/differences_aside_animal_welfare_groups_come_together/Asilomar-2004-Accords.html

- Animal cruelty
- Land use/zoning
- Hunting and fishing
- Protection of livestock
- Rabies control
- Licensing
- Regulation of dangerous/vicious dogs
- Regulation of animal shelters
- Spay/neuter requirements.

Police Power

"Police power, loosely defined, is that power of a state government to enact and enforce laws for the health, safety, and well-being of its citizenry. This authority is an inherent one, neither conferred by the federal Constitution, the Bill of Rights, or even through most state constitutions. Instead, this power is said to derive from the inherent reserved right of a state as a sovereign to enact laws that protect the general welfare of its citizens. Police power is limited by the federal and state constitutions, especially with regard to due process rights. These laws must meet constitutional standards as exercises of reasonable regulations."[7]

Preemption

"To avoid confusion in the enforcement of such laws at all levels, there is an order of supremacy with each level of law. This concept, known as preemption, ensures that laws at the highest level of government trump those conflicting laws at lower levels of government. Thus, federal laws enacted by Congress will override state laws intended to regulate the same subject and local ordinances that conflict with state laws concerning the same matter will defer to the state legislation. Because each level of government is empowered to enact such laws, the federal and individual state constitutions have preemption clauses that specifically state conflicting laws must yield to the higher federal or state laws."[8]

CALIFORNIA ANIMAL LAWS

California animal laws exist at the state and local level. At the state level, they take the form of regulations and statutes. At the local level, laws are designated as ordinances.

Regulations

The California Code of Regulations are rules adopted by California regulatory agencies to implement, interpret, or make specific the law enforced or administered by it, or to govern the agency's procedure. Regulations are adopted by a state agency, approved by the California

[7] Rebecca F. Wisch, State and Municipal Regulation of Dogs, Animal Legal & Historical Center, Michigan State University College of Law, 2003
[8] Ibid

Office of Administrative Law, filed with the Secretary of State and signed by the Governor. Regulations so adopted have the full force of law. Regulations are only enacted under the authority of a statute. Such regulations do not follow the legislative cycle and can be adopted, changed or repealed at any time.[9]

Statutes

California animal laws are contained in the following State Codes:

- Business and Professions Code
- Civil Code
- Civil Procedures Code
- Corporations Code
- Education Code
- Fish and Game Code
- Food and Agriculture Code
- Government Code
- Health and Safety Code
- Labor Code
- Penal Code
- Probate Code
- Public Resources Code
- Revenue and Taxation Code
- Vehicle Code
- Welfare and Institutions Code.

Responsibility for enforcing some of these statutes is specifically delineated (e.g. the Fish and Game Code). However, in most instances the enforcement entity is not specifically set forth. State and local law enforcement personnel at the city and county level can and do enforce the majority of these State laws. From a practical standpoint, because of the specialized nature of some animal related laws and the expertise and special equipment needed, many of these animal related laws are enforced by animal control personnel.

Animal control officers are not peace officers, but they may exercise the powers of arrest of a peace officer as specified in California Penal Code Section 836 and the power to serve warrants as specified in California Penal Code Sections 1523 and 1530 during the course and within the scope of their employment, if those officers successfully complete a training course in the exercise of those powers pursuant to California Penal Code Section 832.[10] This training is curricula proscribed by the California Commission on Peace Officers and Training and consists

[9] California Animal Laws Handbook, state Humane Association of California, 2007
[10] California Penal Code Section 830.9

of two components, which total a minimum of 64 hours. The Arrest component has a 40-hour requirement and the Firearms component has a 24-hour requirement.

ORDINANCES

Ordinances are local laws. Ordinances to be enforceable must not conflict with state or Federal law. Animal control ordinances typically include the following sections:

- Animal licensing
- Animal at large restrictions
- Impoundment provisions
- Rabies control
- Bite report requirements
- Restrictions on wild or exotic animal ownership
- Regulation of animal nuisances
  - Noise
  - Waste
- Regulation of dangerous animals.

LEGISLATIVE EFFORTS

In the middle 1970s, concerned citizens and non-profit animal welfare organizations began to exert influence through the legislative process to change what they perceived to be indifferent or, in some instances, inhumane treatment of animals at local government operated shelters. The legislature passed several bills that had a significant impact on the operations of municipal animal control programs. Among these were:

- The banning of altitude chambers for euthanasia.
- Requiring only one animal at a time be killed in carbon monoxide chambers.
- Requiring that cats be held for 72 hours before they could be euthanized.
- Requiring that animals be spayed/neutered before adoption or a certificate purchased to cover the cost of the sterilization.
- Requiring that Animal Control Officers obtain an *832 P.C. module a.* certificate.
- Requiring that Animal Control Officers report instances of child abuse to Child Protective Services.

Concerned citizens and local and national non-profit animal groups – e.g. The Humane Society of the United States (H.S.U.S.) and the American Society for the Prevention of Cruelty to Animals (A.S.P.C.A) – continued to press for the reduction if not elimination of companion animal euthanasia at the country's animal shelters. This advocacy has resulted in several national news stories that brought this issue to the attention of local concerned citizens who

began lobbying for improvements in policies, procedures, facilities, and quality of personnel engaged in animal control activities. In many instances, their concerns were not addressed at the local level, and this in turn led to legislation at the State level.

Animal activists were responsible for the promulgation of two significant pieces of legislation that were effective beginning January, 1999. SB 1785 (Hayden) and AB 1856 (Vincent) modified various California Code sections relating to the holding periods for impounded and surrendered animals, the care they are to receive, and spay/neuter requirements by:

- Stating that it is the policy of the State that "no adoptable animal should be euthanized if it can be adopted into a suitable home."
- Requiring that stray animals be held six business days, not counting the day of impoundment. (The prior requirement was 3 days plus the day of impoundment)
- Reducing the holding requirement to four business days, not counting the day of impoundment, if the shelter is: (a) open until 7:00 PM one weekday; or (b) the shelter is open one weekend day; or (c) if the shelter has fewer than three employees and is not open during all regular weekday business hours and has established procedures for owners to reclaim lost animals by appointment.
- Requiring that surrendered animals be held for two business days, not counting the day of impoundment. This holding period increased to the same as for stray animals noted above, effective July 1, 2001. The effective date of this provision was modified by AB 2754 (House) to become operative July 1, 2002. AB 2754 also modifies the Hayden Bill to allow surrendered puppies and kittens to be made immediately available for adoption. AB 2754 also requires that all animals be scanned for microchips.
- Requiring that efforts be made to provide veterinary treatment for ill or injured animals so as to make them suitable for adoption.
- Requiring specific records be kept on all animals impounded, surrendered and/or medically treated.
- Requiring that animals be turned over to non-profit rescue groups prior to the animal being euthanized.
- Requiring that reasonable efforts be made to reunite lost pets with their owners and specifying that owners and the finders of pets be provided with specific information.
- Requiring that all animals adopted from public and non-profit shelters be spayed/neutered.
- Providing an exception to this requirement for agencies in counties having populations of less than 100,000.
- Requiring the imposition of fines on redeemed pets that are not spayed/ neutered.

Impacts of SB 1785 on Public Shelters

- Reduction of flexibility in managing the population of public shelters. As noted

above, animal shelters have a finite capacity. By requiring the non-discriminate holding of all animals regardless of their adoptability, shelter managers find it more difficult to manage the shelter population. In some instances, more adoptable animals must be euthanized to reduce overcrowding caused by lengthened holding periods for animals that have little chance of being adopted.

- Adoption of a State policy that "…no adoptable animal should be euthanized if it can be adopted into a suitable home." Few would disagree with the intent of this goal. However, the definition of "adoptable" is open to interpretation and thus the subject of, at times, acrimonious debate between animal activist and public shelter managers.
- Required the expenditure of public funds on the expansion of some facilities and the adoption of other requirements.
- The State was reluctant to pay for increased local agency costs as required by the provisions of SB 90. The Commission on State Mandates determined that certain provisions of SB 1785 were reimbursable, but not others. The State and the original government agencies that brought the claim for reimbursement litigated certain issues relative to the scope of reimbursement. As of this date the State has not pursued its lawsuit and the local public jurisdictions have abandoned their lawsuit.

Impacts of AB 1856 on Public Shelters

- Required that all animals, (with some medical, age and size of population exemptions) had to be spayed/neutered prior to adoption. This requirement tasked the resources of many public shelters, but it also started cooperative relationships with the non-profit and veterinary community in some jurisdictions.
- Resulted in an overall increase in the number of animals that were spayed/neutered in some communities.

Specific Impacts of SB 1785 and AB 1856 for Sutter County

- A review of Sutter County's Animal Control Policies and Procedures Manual revealed a possible compliance issue relative to the holding period for cats. It is our understanding that this is being corrected.
- There are provisions in AB 1856 that provide exceptions for counties with populations of less than 100,000. (Food & Ag. Code Sections 30520-30525, and 31760-31765). Sutter County's population is projected to exceed 100,000 in the year 2011. Therefore, the County will need to make provisions for the spay/neuter of adopted animals instead of the deposit system currently in use.

MANDATES AND COMMUNITY EXPECTATIONS

Legal Mandates that Impact Animal Control Programs

Animal control departments perform a number of mandated functions. In addition to these

statutory requirements, the program has high visibility. The State of California has a stated policy promoting adoption of shelter animals and a goal of reducing euthanasia. The County is mandated to provide programs to control rabies, to control strays (animal impound services and animal shelter), to control animal population growth by providing for the spaying or neutering of adopted animals prior to placement in a new home and to provide treatment to sick and injured impounded animals. The following table lists some major mandates that affect animal control programs:

Function	Mandate	Reference
Holding period	5 days stray	SB 1785 F & A Various sections
Treatment	Stray sick and injured must be treated	SB 1785 Penal 597
Population control	Spay and neuter of adopted dogs/cats	F & A 30503, 31760-31766
Standard of care, shelter animals	Food, water, shelter	Civ Code 1834, H & S 121690
Rabies control program, clinics	Health Officer, $6 shots, public clinics	H & S 120130-121615
Animal Shelter system	A way to impound stray dogs	F & A Code 31105
License program	Dog licenses req'd over 4 months	H & S 121690 et al
Partnerships	SB 1785 with 501(c)(3) organizations	F & A 31108, 31753-31754
Cruelty Investigations	Animal Control responsibility	Penal Code 597
Seizure of animals	Required under certain cases	Penal Code 597. 597.1
Dangerous Dogs	State and local laws	F & A Code 31601-31683
Stray Dogs	Impound stray dogs	F&A Code 31105
Euthanasia-shelter animals	Must provide certified staff	F & A Code 31105
Animal Fighting	Penal code	Penal code 597.5, 599.a
Rodeos/Exhibitions	Penal Code	Penal code 596.7
Search and seizure	Penal Code	PC 1523, PC 1524, PC 599a
Vaccinations	Low fee rabies clinics	H & S 121690 f
Feral cats	Shelter evaluation, release to non-profits	F & A 31752

DISCUSSION OF MANDATES

Rabies Control

Health and Safety Code Sections 120130 through 121705 provide that the local Health Officer is responsible for the administration and enforcement of Section 121690 of the California Health and Safety Code in officially declared rabies areas. (All of California's counties are currently designated as rabies areas.) The mandate includes responsibilities to quarantine rabies suspect animals or destroy the animal(s) at the discretion of the Health Officer, to distribute anti-rabies vaccine, to investigate reports of rabies (bite investigations), to enforce dog licensing and rabies vaccination requirements and to provide dog vaccination clinics.

Stray Animal Shelter

Health and Safety Code Section 121690 (e) states, "It shall be the duty of the governing body of each city, city and county, or county to maintain or provide for the maintenance of a pound system and a rabies control program for the purpose of carrying out and enforcing this section." This mandate requires that a location be provided for impoundment of strays.

Spay and Neuter of Adopted Animals

Food and Agricultural Code Section 30503 (dogs) states, "…no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away to a new owner any dog that has not been spayed or neutered." and Section 31751.3 (cats) further states, "…no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away to a new owner any cat that has not been spayed or neutered." These code sections require that dogs and cats adopted from shelters be spayed or neutered. As noted above, it is projected that the current exception for counties with populations of less than 100,000 will not apply in Sutter County after 2011.

Treatment of Sick and Injured Animals

Penal Code Section 597f (b) states, "It shall be the duty of all officers of pounds or humane societies and animal regulation departments of public agencies to convey, and for police and sheriff departments, to cause to be conveyed all injured cats and dogs found without their owners in a public place directly to a veterinarian known by the officer or agency to be a veterinarian that ordinarily treats dogs and cats for a determination of whether the animal shall be immediately and humanely euthanized or shall be hospitalized under proper care and given emergency treatment." Penal Code Section 597.1 provides guidelines for the seizure of sick, injured, neglected, or abandoned animals and requires they receive care and treatment until the animal is deemed to be in suitable condition.

DISCUSSION OF COMMUNITY EXPECTATIONS

In general, community expectations of animal control organizations nationally, and especially in California, have dramatically increased over the past fifteen to twenty years. Communities expect animals in shelters to receive a reasonable standard of care and to see a reduction in the killing of companion animals.

The public expects animal control organizations will be service oriented with a rapid and responsive field staff, informed and helpful customer care representatives, and a high standard of care for sheltered animals. In addition, the public frequently expects assistance with wildlife issues, advice on a broad variety of animal matters, resolution of complex investigations, including animal neglect and animal noise complaints, and intervention and prosecution of animal cruelty.

Information Technology

As workloads increase, information technology improvements become mandatory if an agency is to fulfill its service responsibilities. All progressive major animal control agencies have installed software and hardware that enables them to keep track of service calls, animal inventory, work schedules, call frequency by area, complainant and defendant records, rabies control information, administer animal licensing, etc. These systems provide a relational database from which virtually any report can be generated. Many agencies have installed the Chameleon system from HLP Inc. Sutter County installed the Chameleon system in September of 2006.

Field Services

As California's population increases and expands into areas once considered rural, the workload of animal control field personnel increases and changes. Animal control service requests are generated by citizen requests for service. Few agencies have the resources to engage in "unassigned patrols." In most large jurisdictions animal control field staff move from one call to the next with no time to take care of general housekeeping activities such as looking for loose dogs or picking up dead animals that are not first called into the agency. Many requests for service involve activities that citizens previously handled themselves or did not report. Barking dog calls, animal cruelty investigations, and calls involving human interaction with wildlife become more frequent and time consuming as citizens move into once rural areas. A modern field services program utilizes public contact encounters to educate the public relative to responsible pet ownership, spay/neuter and the benefits of dog licensing. These encounters can result in fewer future contacts and a reduction in animal impoundments.

Shelter Services

California is experiencing an animal shelter building boom as population increases and aging facilities are unable to provide either legally mandated shelter services or adequate humane housing for the communities' animals. Increased legally mandated holding periods have resulted in great concern for the health of animals held at public shelters. **The death or euthanasia of large numbers of animals at public shelters because of inadequate disease prevention will be a cause of great concern and public scrutiny in most communities. Disease outbreaks at shelters have led to the killing of large numbers of animals and have resulted in significant media attention and public outcry.**

Temperament Testing

Shelters in the past utilized subjective evaluations relative to what dogs were placed for adoption. Age, size, breed, and observed behavior were some of the criteria used by shelter workers to determine which animals to place for adoption and which ones were to be euthanized. Public liability concern, the return of animals after displaying aggression in the new adopter's home, the resulting additional holding periods, and limited shelter space led shelter administrators to seek more objective and valid criteria on which to base adoptability decisions. There are various means to assess a dog's temperament and resultant adoptability. Two of the more widely used are: "Assess-a-Pet" and SAFER/Meet Your Match. Some agencies have

developed their own system of testing based on a combination of methods. Sutter County does not utilize any method of temperament testing.

Adoption Services - Public/Private Cooperation

With public and legal attention drawn to the killing of companion animals in the state's animal shelters, local agencies and concerned non-profit groups are forming alliances to move beyond the traditional "come to the shelter" approach to animal adoption. Non-profit foster programs, outreach adoption efforts, mobile adoption, media advertising, the internet and interagency transfer of animals are all being tried to increase the number of animals adopted from local public shelters. All of these efforts, particularly relationships with local animal-based non-profits need to be developed and/or expanded. All of the communities' resources should be brought into play in order to reduce the number of animals euthanized.

Revenue Generation

As more is expected of animal control agencies relative to providing service, personnel costs tend to rise in order to meet these demands. With local budgets in crisis, it is imperative that all revenue sources be examined so that needed programs are adequately funded. The revenue source that has the largest impact on net cost is animal licensing followed by fines and fees. Various strategies have been developed by agencies to increase revenue in these areas.

Dog Licensing

Traditional enforcement in this area was generally regarded as the best way to deal with the problem of unlicensed dogs. Field staff issue court citations that require purchase of a dog license and the payment of a court fine. This is very time consuming and very inefficient if it is the only method of license enforcement employed. In addition, fine revenue has no return to source provision so that the enforcement agency does not share in any of the fine revenue. Ordinances that require local veterinarians to provide copies of rabies vaccination certificates to the local animal control agency and the utilization of a computer cross match between the agency's licensing file and the rabies certificate provides a cost-effective first step in the licensing enforcement system. Other trends include the investigation of using e-commerce via the Internet, allowing the use of credit cards for payment and increases in animal licensing fees.

Cat Licensing

The licensing of cats has not been adopted by many agencies. The reasons for this involve the legal ownership of cats and the reluctance of the State Department of Health to require rabies vaccination and licensing of cats even though they have been increasingly seen as a vector for rabies in California. Without State-mandated rabies vaccination, a local ordinance requiring cat licensing would be very difficult if not impossible to enforce.

Fines and Fees

Agencies should examine their fee structures to ascertain whether the fees charged adequately cover the cost of providing the service. The impact of the fee amount on compliance must also be examined. For example, increased revenue projections derived from increases in redemption and surrender fees must be weighed against the operational costs if animals are not redeemed by their owners or if animals are declared stray instead of owned in order to avoid the surrender fee.

Revenue Collection

Billing procedures and collection strategies should be examined in order to reduce the amount of uncollected revenue. Credit card billing should be considered if clients are billed when claims of insufficient cash to pay the fine and/or fee are advanced by customers. The initial cost of offering this service and the variable cost of credit card company percentage charges needs to be determined. An analysis of these costs versus the cost of non-collectable debt should be undertaken. Strategies for referring bad debt to collections should also be developed.

Spay/Neuter Programs

The passage of AB 1856 (Vincent) has led many agencies to ponder how to meet this State mandate. Agencies that had low cost spay/neuter programs in place were faced with reducing or eliminating this public service in order to comply with AB 1856. Other agencies had to either contract with local veterinarians to provide this service or form cooperative relationships with local non-profits that were operating a spay/neuter clinic in order to comply with the law. Hiring veterinarian staff that is willing and capable of doing high volume spay/neuter work has been and will continue to be a challenge for local animal control agencies.

Risk Management

Public Liability

Animal control activity has the potential to expose municipal governments to significant public liability. Primary areas of concern are vehicle operation, firearm usage and rabies control activities.

Vehicle Operation

Initial and recurrent training in safe vehicle operation should be undertaken. Policies relative to the safe operation of agency vehicles should be developed and rigorously enforced.

Firearms Usage

Use of firearms by animal control field staff is unavoidable unless an agency is willing to divert police officers to scenes where the humane killing of injured wildlife is necessary or where a rabies suspect animal is involved. Strict policies on the safe use of firearms should be developed. P.O.S.T. certified firearm instructors should be utilized for initial and recurrent training. The safe and proficient use and storage of firearms by agency staff should be examined no less than annually and adherence to agency policies made a condition of continued employment. Sutter County Animal Control Officers utilize a Ruger 10 shot .22 caliber rifle. The Division has one of these weapons; it is stored at the shelter and is checked out as needed to kill skunks and other small animals.

Rabies Control

Policies and procedures relative to the handling of rabies suspect animals and the protocols for rabies testing should be developed in conjunction with the communicable disease staff of the County Health Department. Initial and recurrent training of field and kennel staff in this subject area should be undertaken and documented.

Workers' Compensation

Animal control field staff and kennel personnel share significant exposure to situations conducive to work connected injury. Primary exposures are lifting and restraint injuries to back, neck, arm and leg joints, animal bites, automotive accidents, rabies, and Lyme disease. Pre-exposure rabies and Lyme disease vaccinations should be considered. Initial training in safe vehicle operation and proper lifting and restraint techniques should be implemented and recurrent training should be scheduled annually. Animal control vehicles should be equipped with winches or lifts for loading large animals to reduce the incidence of back, neck and limb injuries. One significant workers' compensation claim and associated lost time will cost more than the aforementioned winches or lifts. One of the Division's trucks is equipped with a wench.

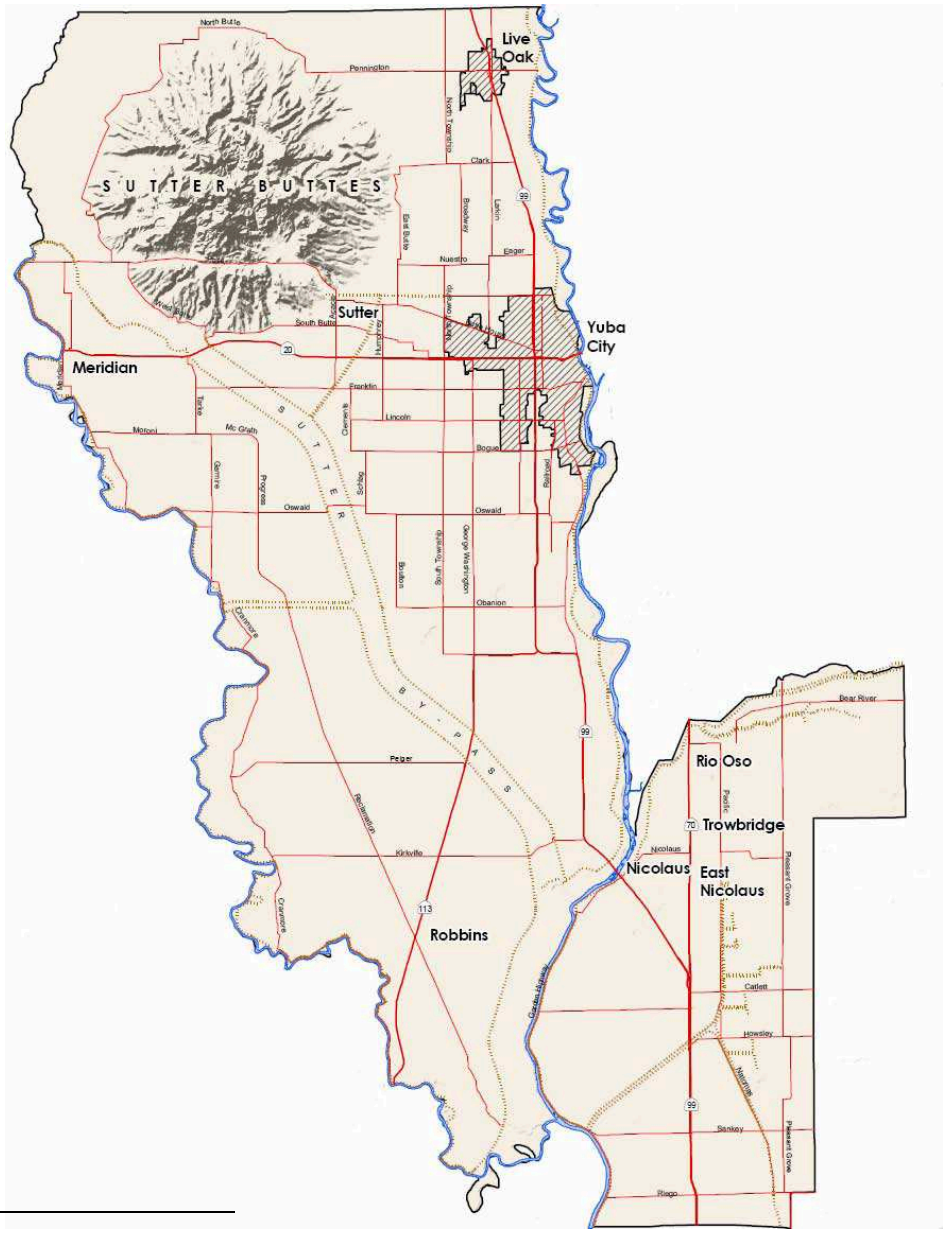
Training

Initial and recurrent training of animal control staff is critical if an agency is to provide a public service oriented program for its citizens. An agency mission statement, goals and objectives need to be developed and the training curricula developed around these core concepts. Evaluation of training should be developed in conjunction with and made a part of the training program.

SECTION III—SUTTER COUNTY GEOGRAPHY AND DEMOGRAPHICS

GEOGRAPHY[1]

Sutter County is one of California's original 27 counties, and consists of 609 square miles, 603 miles of which are land. Of this area, approximately 597.7 square miles or 98.14 percent is unincorporated. The County is bordered on the north by Butte, in the west by Colusa and Yolo, in the east by Yuba and Placer counties and in the south by Sacramento County. Elevation ranges from close to sea level to 2,232 feet. The County is ranked 38th in population and 53rd in area.



[1] Map, Yuba Sutter Multi-Hazard Mitigation Plan, 2007

CITYGATE ASSOCIATES, LLC

SUTTER COUNTY COMMUNITIES[2]

Incorporated Cities

- Yuba City
- Live Oak.

Unincorporated Communities

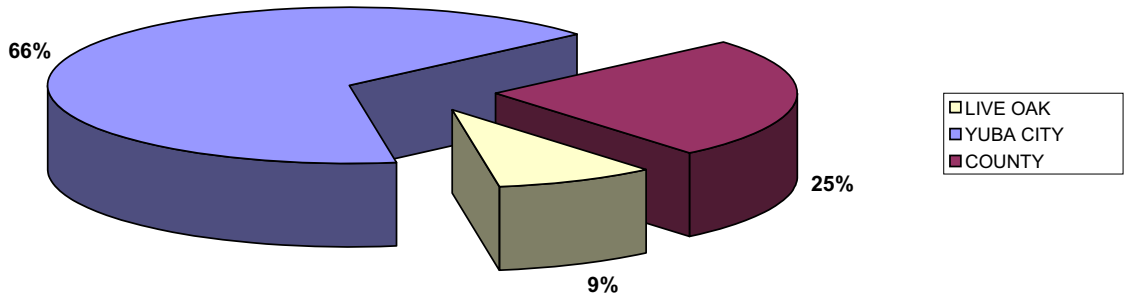
- Sutter
- Tierra Buena
- Meridian
- Nicolaus
- East Nicolaus
- Rio Oso
- Robbins
- Trowbridge.

2007 POPULATION[3]

City/County	Population
Live Oak	**8,126**
Yuba City	**62,083**
County	**23,710**
County Total	**93,919**

[2] Sutter County, Planning Division, General Plan
[3] California Department of Finance

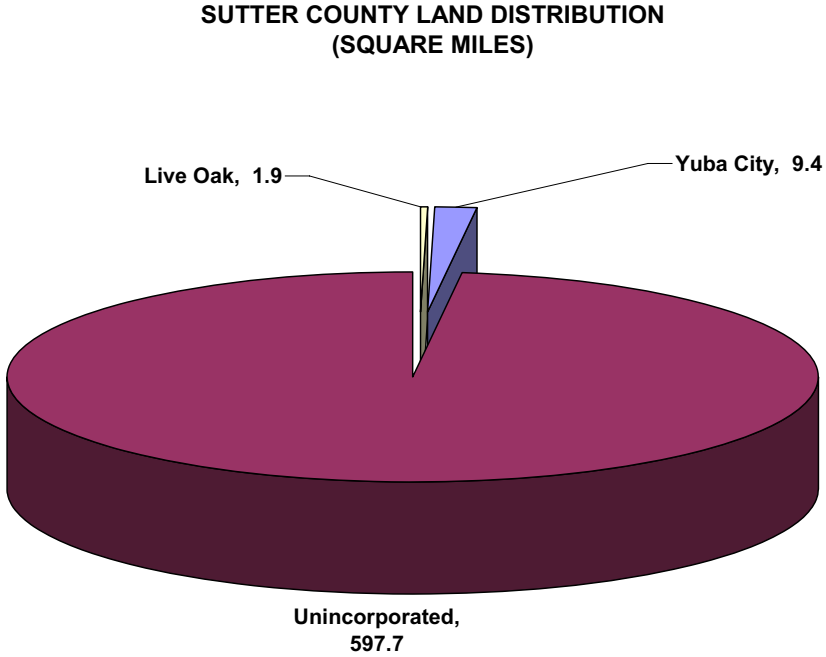
2007 Population Distribution



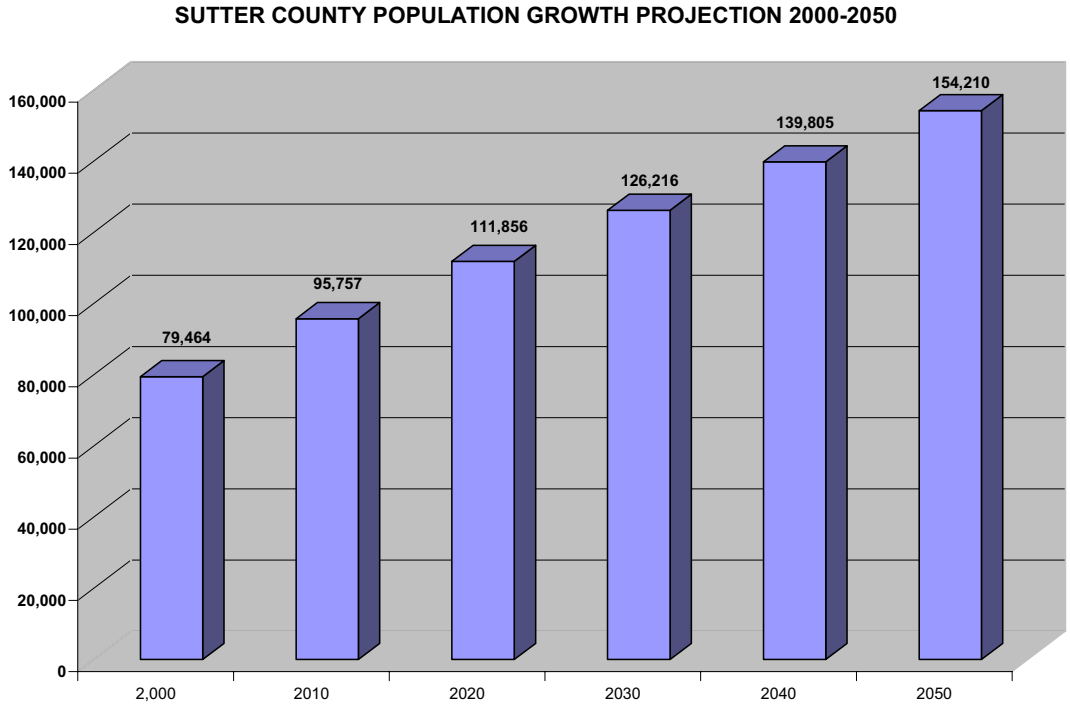
Population Density

City/County	Population	Square Miles	Density
Live Oak	8,126	1.9	4,276.8
Yuba City	62,083	9.4	6,604.6
County	23,710	597.7	39.7
County Total	93,919	609.0	154.2

Land Area Distribution



POPULATION PROJECTION[4]



YUBA CITY

Existing Population

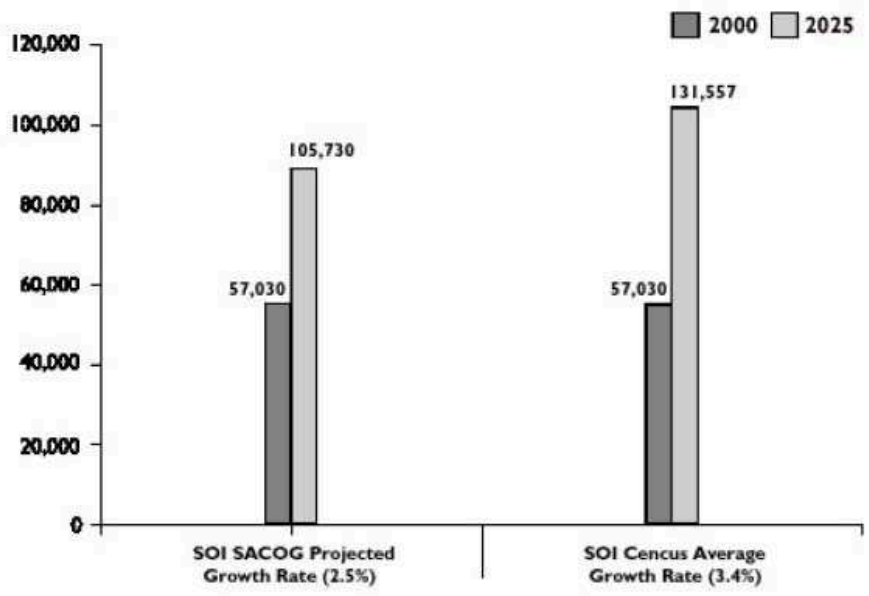
"According to the U.S. Census, the population of Yuba City was 36,760 in the year 2000, an increase of 8,500 residents or 30 percent since 1990. This represents an average annual growth rate of about 2.7 percent. The U.S. Census estimates that the population of the unincorporated areas within the Yuba City Sphere of Influence (SOI) in the year 2000 was 20,270. This adds up to a year 2000 total population of approximately 57,030, or about 3.8 residents per acre, in the Yuba City SOI. In early 2001, the Walton Annexation further increased the population of Yuba City—and decreased the population of the unincorporated area within the SOI—by approximately 7,000 residents. The California Department of Finance (DOF) estimates the City population at 47,200, as of January 2002. Annexations continue to represent a significant share of the City's population growth. Since 1989, the City has annexed approximately 2,370 acres, increasing the City area by 54 percent. A substantial amount of the annexed land is on the south side of the City, extending south to Bogue Road and westward from the riverfront. Yuba City's population growth accounted for 69 percent of the County's total population growth between 1980 and the year 2000."[5] The 2007 population is 62,083. The growth rate from 2006 to 2007 was 2.4%.[6]

[4] California Department of Finance
[5] Yuba City General Plan
[6] California Department of Finance

Projected Population

"The Sacramento Area Council of Governments (SACOG) projects that Yuba City's population could reach 68,150 in the year 2025, an increase of 85 percent over the 2001 estimated population of 36,760. This represents an average annual growth rate of 2.5 percent. Assuming the population of the unincorporated areas of the Planning Area will grow at a rate similar to that of the incorporated city, the Planning Area population will be 105,730 in 2025.

Chart 2-1: Growth Rate Comparison for Yuba City Sphere of Influence



"Using the 3.4 percent average annual growth rate reflected in the Census data between 1980 and 2000, the population of Yuba City Planning Area could reach 131,557 in the year 2025, an increase of 130 percent over the current estimated population. The above chart shows relative growth within the City and the Sphere of Influence (SOI) – the urban growth area within the Planning Area, assuming some annexation mirroring historic trends and also some development within the unincorporated area."[7]

"Incorporated Sutter County grew at a substantial rate in both periods, while the unincorporated population of the County lost population between 2000 and 2005. As Yuba City has expanded, annexing former unincorporated County land, the total land area of the unincorporated County decreases and the incorporated territory increases. To the extent that Yuba City has annexed land with existing population, this would result in the decrease in unincorporated population and increases in the population in Yuba City without anyone necessarily moving or new homes being constructed. Substantial annexations in recent years have likely caused the decrease in County unincorporated population."[8]

[7] Yuba City General Plan
[8] Live Oak General Plan Background Reports, Demographics and Population

According to State law, the City must consider a Planning Area that consists of land within the City and "any land outside its boundaries which, in the planning agency's judgment, bears relation to its planning."

The Yuba City SOI (as agreed upon by the City with Sutter County), and the Urban Growth Boundary (UGB), are essentially the same with minor exceptions. "The area within the UGB includes approximately 24 square miles of land. It is assumed that all areas within the SOI will be annexed and become part of Yuba City."[9]

"Development is occurring in the city to accommodate the rapid population growth. New development is primarily occurring in the Harter Specific Plan Area and the Lincoln East area within the City sphere-of-influence just beyond the current City boundary. Yuba City's sphere-of influence includes all of the Yuba City Urban Area including the Tierra Buena Area and the Yuba City Urban Area Fringe (approximately 19,350 acres). The boundary of this area is Pease Road to the north, Township Road to the west, Oswald Road to the south and the Feather River to the east."[10]

LIVE OAK

Existing Population

Live Oak's population has increased substantially over the past 50 years from just 1,770 in 1950 to 8,216 in 2007.[11] The rate of growth increased during the 1980s and 1990s and then decreased between 2000 and 2005.[12]

Projected Population

"The 1990 Census reported 4,320 residents, a total which had increased by 44 percent by 2000 to 6,229. Between 2000 and 2005, the population increased another nine percent to 6,785. Based on recent property development interest, the City's population could increase substantially in the coming decades. SACOG's forecast shows Live Oak growing by an average of 165 people per year over the next 20 years (until 2025), adding approximately 3,303 new people to the City and 1,502 new homes."[13] From 2006 to 2007 the population of Live Oak increased at a rate of 8.5%.[14]

Additional Growth Beyond Regional Projections and Scenarios

"The population of Live Oak, depending on guidance from the public and decision of the City Council and Planning Commission, has the potential to grow during the General Plan period beyond that anticipated in the regional housing needs allocation and long-range population forecasts. There is pressure from developer groups and property owners in unincorporated Live Oak who would like to see their properties annexed into the city to promote the sale, subdivision,

[9] Yuba City General Plan
[10] Ibid
[11] California Department of Finance
[12] Live Oak General Plan Background Reports, Demographics and Population
[13] Live Oak General Plan Background Reports, Demographics and Population
[14] California Department of Finance

and development of property. Depending on how much property the City elects to bring into the Planning Area, the land use policies and development standards, and the rate of absorption, the City's population could double or triple during the General Plan time horizon."[15]

"Development in the city to accommodate future growth is occurring primarily within the City sphere-of-influence, beyond the current city limits. The boundary for the sphere-of-influence is set at the Butte County line on the north, Township Road on the west, Paseo Road on the south and the Feather River on the east. Total area for the Live Oak sphere-of-influence is approximately 11.25 square miles."[16]

ANIMAL CONTROL ISSUES RELATIVE TO GEOGRAPHY

Sutter County is approximately 40 miles long and 17 miles wide. The Sutter Buttes occupy the northwest sector of the County. It takes approximately 60 minutes to drive from the south of the County from Knights Landing to the Butte County border and approximately 24 minutes to drive from Meridian to eastern Yuba City. However, calls originating from the rural areas of the County (e.g. Karnak or the North Butte area) can take longer to reach. While the majority of calls are centered around Yuba City and Live Oak, livestock and other calls in the outlying rural areas can consume a large amount of Animal Control Officer time. This fact needs to be taken into account when computing adequate field staffing levels.

ANIMAL CONTROL ISSUES RELATIVE TO POPULATION AND GROWTH

Approximately 74 percent of Sutter County's population is incorporated and resides on 1.86 percent of the land area. Yuba City represents 66 percent of the current population situated on 1.5 percent of the land area

The County expects significant population growth over the next 30 years. The majority of this growth will occur in Yuba City and Live Oak through a combination of births, migration, new housing development, and annexation. This growth will decrease the percentage of the population in the unincorporated area. Most of the expected population growth as a result of migration will involve a change in the make-up of the community. Many of these new residents will be coming from more urban areas.

As population increases and expands into areas once considered rural, the workload of animal control field personnel increases and changes. Animal control service requests are generated by citizen requests for service. Many requests for service will involve activities that citizens previously handled themselves or did not report.

From an animal control perspective, the growth in population, the increase in the incorporated population and the change in the make-up of the community will most likely result in the following changes affecting the County's Animal Control Division:

- A general increase in the number of field service calls
- An increase in animal cruelty related calls

[15] Live Oak General Plan Background Reports, Demographics and Population
[16] Yuba Sutter Multi Hazard Mitigation Plan, 2007

- An increase in nuisance related calls
- An increase in the number of dog bites
- An increase in wildlife related calls
- An increase in the number of animals surrendered to the Division
- Higher community expectation relative to:
  - Professionalism
  - Customer service
  - Animal care and housing
  - Reduction of the euthanasia rate
  - Control of dangerous animals
  - Effective resolution of animal noise and neglect cases
  - Effective prosecution of animal cruelty cases
  - Knowledgeable and helpful staff.

If efforts relative to spay/neuter and public education are not expanded the animal population has the potential to increase at a faster rate than the human population.

EFFECT OF POPULATION GROWTH ON ANIMAL SHELTER REPLACEMENT

Calculating Animal Populations[17]

"Calculating the number of domestic animals as well as farm animals in any community and then estimating the number of these animals which can be expected to enter an animal shelter is an extremely difficult task given the many variables which exist. When reliable data from previous years is not available, this task becomes even more difficult. In fact, even when reliable data is available, other factors such as understaffing due to lack of funding for Animal Control Officers will skew the statistics. Before outlining the basis for … calculations of animals held, it would be useful to review a few accepted standards in the industry and why we believe these standards are not of much use for most growing communities….

"The Humane Society of the United States (HSUS) has for many years used the following figures as a national average for dogs and cats/capita.

.555 dogs/household .603 cats/household

"If there are 2.468 persons/household (national average), then there would be:

.225 dogs/capita .244 cats/capita

"These calculations indicate that the national average for the number of domestic cats and dogs is about 1/2 the human population which, while of interest, does not shed much light

[17] Shasta County Animal Services Facility Needs Assessment, George Thomas Miers, 2004

on the number of animals which can be expected to find their way into a specific animal shelter. Generally speaking, we find that there are approximately .02 to .04 animals per capita taken into shelters (private and public) in California communities. This translates to 1 animal (cat or dog) per 25 to 50 people. If the HSUS numbers noted above are correct relative to total number of pets, then approximately 5 percent of the pet population finds its way to shelters or conversely 5 percent of the pets come from shelters or a combination of the two.

Feral Cats and Wild Dogs vs. Domestic Animals

"This can vary dramatically by community and statistics are often significantly affected by decisions on whether to actively trap feral cats, allow rescue groups to do it, or merely ignore the problem. Feral cats are not part of the above HSUS figures…

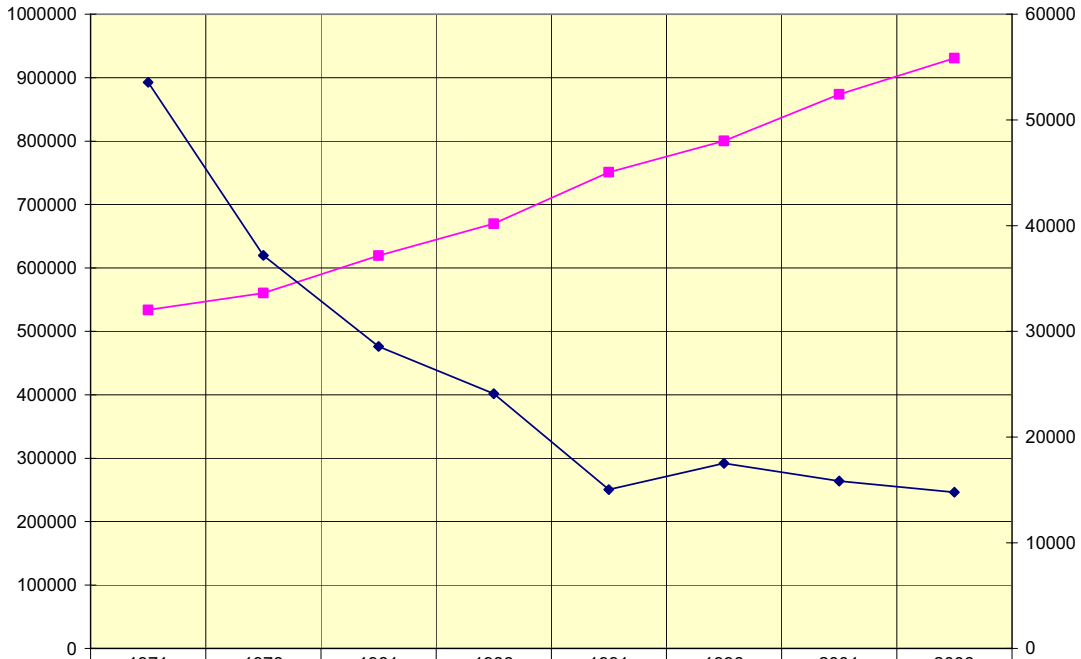
Affects of Increased Human Population

"If the above HSUS figures were constantly applied to populations, then the number of animals and the required holding capacity in shelters would always increase according to the population increase…. This, however, has not been our experience and is not consistent with California trends. There is overwhelming evidence throughout the United States that virtually all urban and even semi-urban areas with even minimal education and spay/neuter policies are experiencing marked declines each year in the number of live domestic animals impounded. A good case in point is Sacramento County Animal Control which has seen its numbers decrease every year over the past 5 years while population has increased. Similarly, statistics can be found in Contra Costa County, San Diego County, and South Riverside County.… This supposition, however, is dependent upon several factors. First, Animal Care education efforts must continue to improve. Second, assignment and coordinated spay-neuter program must be maintained, and third, cooperative programs with other rescue groups as well as other placement programs such as foster care, must be set in motion…"

Effects of Spay/Neuter and Education Programs on Animal Intakes

The chart below for Contra Costa County shows the dramatic reduction in animals taken into the County's shelters as a result of spay/neuter and education efforts, despite a significant increase in the human population.

POPULATION AND ANIMAL INTAKES 1971-2006



	1971	1976	1981	1986	1991	1996	2001	2006
Population	533800	560550	619400	669900	750800	800100	873620	930570
Animals Impounded	53570	37193	28568	24103	15025	17513	15837	14780

From 1974 to 2006, the number of animals impounded decreased from 41,749 to 14,780 while the human population increased from 545,750 to 930,570. The human population increased 74 percent but the number of animals impounded decreased by 72 percent. **If spay/neuter and education programs are not vigorously pursued, an increase in the animal population and its concomitant cost for both field and shelter services can be anticipated.** (See Section VI regarding spay/neuter and Section VII regarding public education.)

Effects of Population Growth on Cost Sharing

Based on Yuba City's population projections, the percentage of the County's population attributable to Yuba City will increase to approximately 75 percent in the next 25 years and will thus increase the amount the City will be expected to contribute for animal control service from the County.

Sutter Pointe Development

"In 2004, a group of concerned citizens, political leaders, landowners, and developers crafted a strategic method to deliver jobs to Sutter County. They resolved that the only way to bring employers and deliver required infrastructure and public services to south Sutter County was to finance new development with a mix of land uses, including industry, commerce, education, housing, recreation, and open space. It was proposed that this mix was best contained on 7,500 acres of the then-10,500-acre project area (later reduced to 9,500 acres) and integrated with the

NBHCP. The economic conditions in the region required that all these elements be in place simultaneously to create attractive economic incentives for private funding and investment. In November 2004, Measure M, an advisory measure regarding a proposed strategic plan for the region, was put before County voters, and it was overwhelmingly approved. The text of Measure M contained the following requirements for any future development of the area:

- At least 3,600 acres would be provided for commercial and industrial parks to create new jobs in Sutter County as a condition of having residential units approved.
- At least 1,000 acres would be provided for schools, parks, open space, libraries, retail areas, and other community facilities paid for by the development.
- No more than 2,900 acres would be available for residential construction on land protected, at a minimum, from a 100-year flood event.
- All necessary road, bridge, water, drainage, sewer and other improvements would be paid for by the development.
- Ongoing law enforcement, fire, library, and other public services would be paid for by the development, without reducing current service levels."[18]

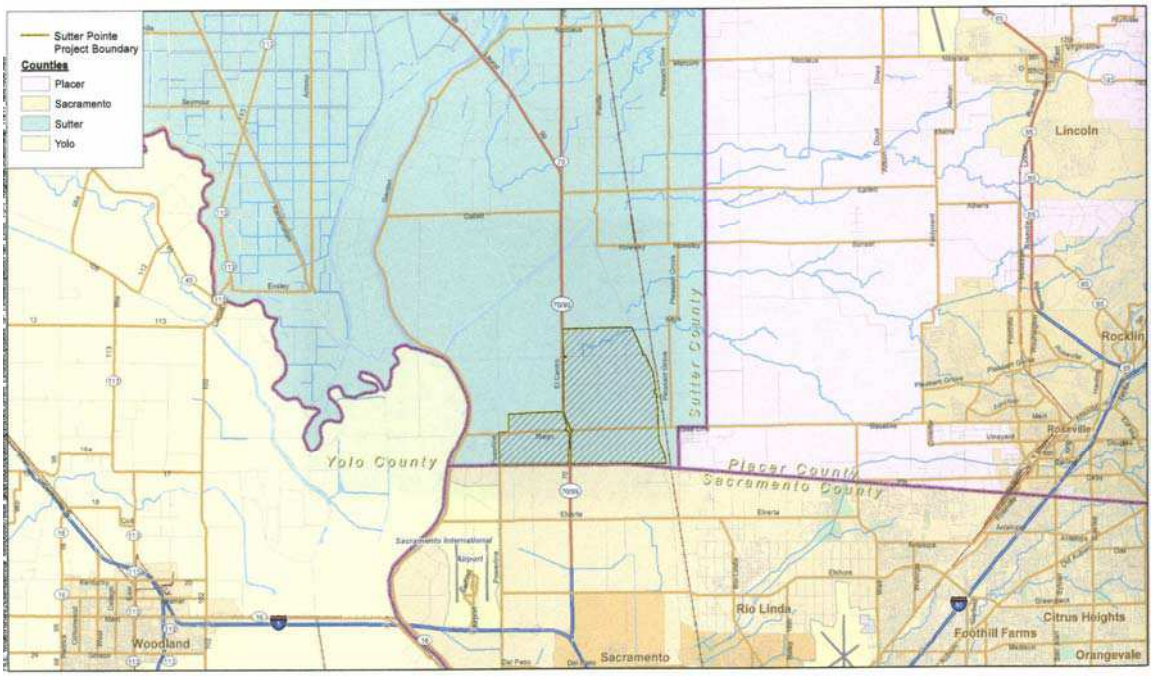
Specifically the Sutter Pointe Specific Plan provides for the following relative to public services:

"The Board would adopt a detailed infrastructure, public services and finance plan that would require the development to fully fund all necessary public facilities and services on an ongoing basis. This would include all "municipal services" provided by the County, such as fire protection, law enforcement, library, ***animal control****, (emphasis added) street maintenance and the provision of utilities (i.e., water, sewer, drainage). This also would include services provided solely by the County, such as judicial, health, mental health, and social services."*[19]

The ultimate build out of this project would add approximately 35-40,000 people to the southern area of the County over the next 20-25 years. It is anticipated that this area will become incorporated at some point near or after built-out is complete.

[18] Notice of Preparation of a Draft Environmental Impact Report for the Sutter Pointe Specific Plan Project http://www.co.sutter.ca.us/pdf/cs/ps/measureM/Final_NOP_Document_03-29-2007.pdf

[19] Sutter Pointe Specific Plan, July 2006 Section I P. 12 http://www.co.sutter.ca.us/pdf/cs/ps/measureM/Part1_Introduction.pdf



Cost Considerations

This area is approximately 32 miles from the proposed new shelter site in Yuba City. Given current call volume of approximately 7,000 per year, this number of people has the potential to generate an additional 3,000 field service calls per year or an increase of 43 percent. This number of people can be expected to generate an additional 1,900 animal impoundments, slightly over 800 of which would be dogs which also equates to a 43 percent increase over current volumes. This increase in call volume and impounds would necessitate an increase in expenditures above the approved 2007-2008 Animal Control Division budget which was modified to reflect increased costs of $82,200 associated with the new shelter. The analysis below assumes a 43 percent increases in personnel, services and supplies, other charges and revenue. Increased salary and benefit costs are adjusted to eliminate the salary and benefits allocated for the Supervising Animal Control Officer in that this position will remain in place and will not be impacted monetarily by the workload increases the Sutter Pointe development will create.

Account	2007-2008	43% Increase
Salary & Benefits	$ 582,200	$ 250,346
Services & Supplies	$ 129,800	$ 55,814
Other Charges	$ 45,400	$ 19,522
Total	$ 757,400	$ 325,682
Revenue	$ 170,000	$ 73,100
Net	$ 587,400	$ 252,582

There are two primary ways to provide service to this area:

1. Provide service from the animal control center in Yuba City; or
2. Establish a satellite animal control facility in or around the development.

Option number one entails only those costs delineated above.

Option number two could be accomplished by providing the citizens of the Sutter Pointe Development with a small, animal redemption, surrender and adoption site in close proximity to their place of residence. This type of facility would allow animal control officers to drop off animals impounded in the development and other areas outside the development and would allow redemption of these animals without a trip to the animal control facility in Yuba City. This would be ideal for south county residents. However, costs per activity would be relatively high. If we look at the number of animals impounded, adopted, redeemed and surrendered currently and take 43 percent of these totals we arrive at the following projected activities. Total and activity per day columns only reflect adoptions, returns and surrenders.

	Impounded	Adopted	Redeemed	Surrendered	Total	Days	Activity Per Day
Dogs	814	258	239	159	656	300	2.2
Cats	918	196	42	92	330	300	1.1
Total	1,732	454	280	250	984	300	3.3

In addition, in the above example 317 dogs and 680 cats would not be reclaimed by their owners or adopted. Therefore, these animals would have to be transported back to Yuba City for either adoption or euthanasia.

Staffing a facility of this type to be open for 300 days per year and having someone present three (3) hours per day the other 65 days a year to care for the animals held at the facility would require, at a minimum, 1.4 staff members. We assume that an Animal Control Officer would be assigned because of the need to issue citations and increased staffing flexibility. This would equate to an annual cost of approximately $67,000 assuming 1.4 Officers, a top step salary of $34,000 and a 40 percent benefit load. Building maintenance, gardening, cleaning supplies, utilities and other incidental costs would add approximately $19,000 assuming a building size of 3,000 square feet and utility costs of $.35 per square foot per month. Total annual cost to operate an annex as proposed would therefore total approximately $86,000.

The cost of land and building is assumed to be $1,000,000. We will assume borrowing at an interest rate that will yield a .09 to 1 payment to debt ratio. (Every $1,000.000 borrowed will require an annual payment of $90,000 for 25 years, assuming the normal costs of issuance are also financed.)

The combination of operating cost and debt service would therefore be $176,000 per year under the above assumptions. This is over and above the cost of providing service to this area if all activities are centered in Yuba City. This equates to $179 per activity. $176,000 is divided by 984 annual customer contacts.

It may be that the County will choose to be open for fewer hours or be closed certain days of the week. In this case costs could be adjusted downward to account for this eventuality.

Citygate is aware that Measure M requires that all increased costs to provide service are to be bourn by the developer(s). We are not aware if any of these costs will be passed on to the residents of the development. If there is some form of cost shift, the level of service to be provided in this area may need to be addressed by the voters.

Shelter Design Considerations

The animal volume created by the Sutter Pointe development should be planned for in the design of the new shelter. It would not be practical to build the space needed into the new shelter now given the long build out time anticipated. Therefore, the architect selected for the project should be tasked with designing the shelter to accommodate the animal holding space needed as an addition taking into account the two possible ways of servicing this area discussed above.

POPULATION GROWTH AND COMMUNITY EXPECTATIONS

Projected growth in the incorporated cities (particularly Yuba City) and the influx of a large number of citizens from more urban areas (who will have higher expectations relative to animal control service delivery and animal sheltering) will have an impact on how community leaders view animal control in Sutter County. What is adequate today will not be acceptable five to ten years from now. The County's leaders are now faced with decisions that will influence animal control service delivery for the next thirty plus years.

SECTION IV—SUTTER COUNTY ANIMAL CONTROL

The Animal Control Division is located within the Sutter County Community Services Department and is one of six major programs administered by the Department.



The Animal Control Division is responsible for enforcing local, state and federal laws and regulations that pertain to animals and their care. The Division administers the state mandated rabies control program, including vaccination clinics, reporting bites and the quarantine of animals. Field officers impound stray or unmanageable animals, inspect privately-owned kennels, livestock areas, and respond to complaints. The Division also responds to complaints concerning cruelty, neglect and inhumane treatment of animals. With the operation of the County Animal Shelter, the Division is responsible for caring for sick and injured animals, sheltering animals no longer in the care of their owners, returning impounded animals to their owners, and for adopting animals to new owners.

The Division provides animal control and shelter services for the unincorporated area of Sutter County, and for the cities of Yuba City and Live Oak.

MISSION STATEMENT AND GOALS

Mission Statement

"The Community Services Department is committed to providing professional and courteous services which enhance Sutter County as a quality place to live and do business by promoting the health and safety of all residents and visitors."

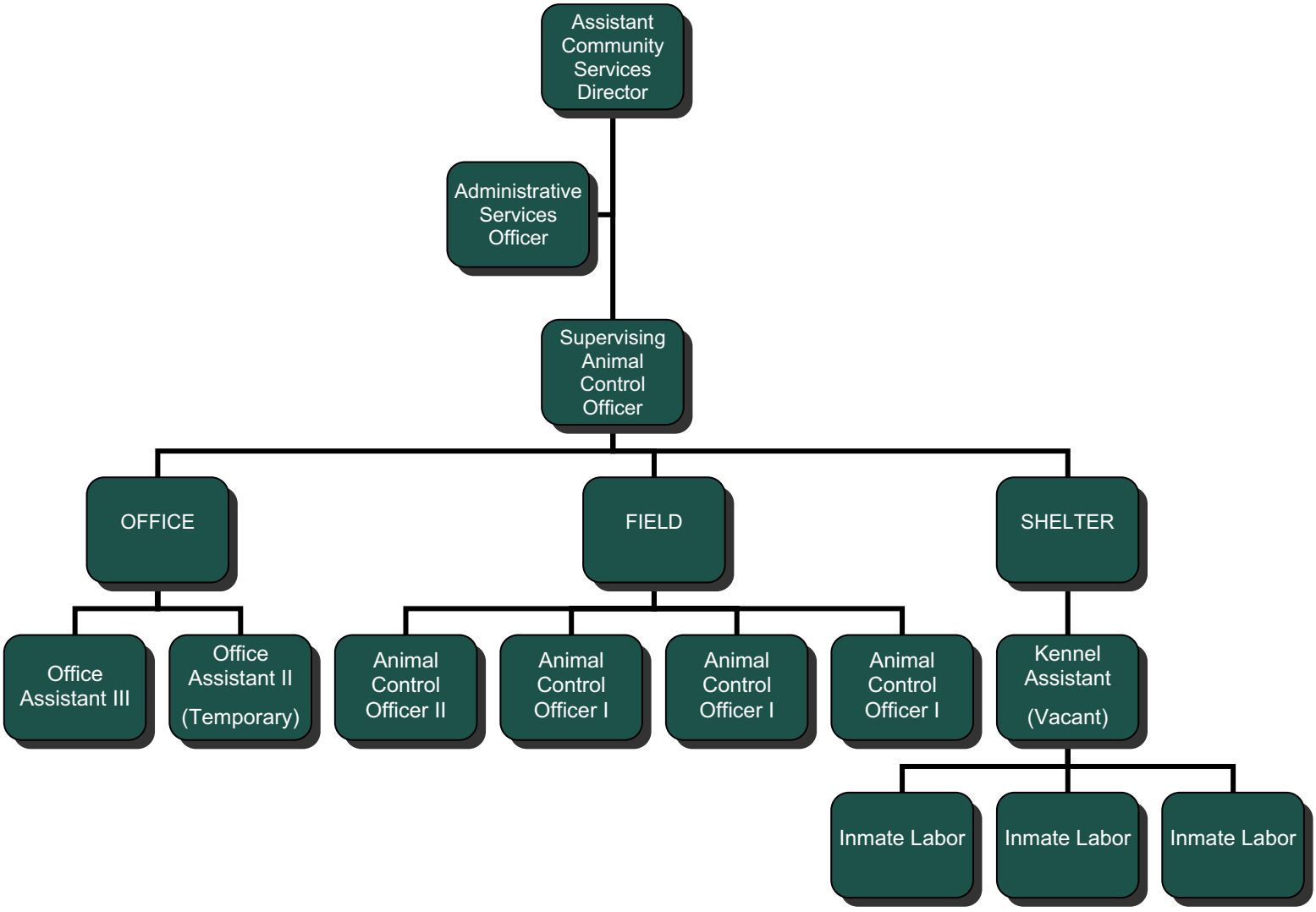
Goals

"The goals of the Division of Animal Control Services are to provide effective levels of law enforcement, an aggressive pet adoption program, responsive lost and found services, compassionate and humane education efforts aimed at promoting 'responsible pet ownership' and to strive toward eliminating the need to euthanize healthy, surplus and unwanted animals."

ORGANIZATION OF THE ANIMAL CONTROL DIVISION

The Animal Control Division is managed by the Supervising Animal Control Officer who reports to the Assistant Community Services Director. Budgetary, human services, purchasing, information technology, and other administrative support is provided by the Community Services Department Administrative Services Officer.

There are eight (8) full-time equivalent employees in the Division, with additional support provided by three (3) inmates from the County jail.



RESPONSIBILITIES OF THE ANIMAL CONTROL DIVISION

The Sutter County Animal Control Division is responsible for the efficient and effective administration of numerous important County-wide programs, including:

- Rabies control
- Animal abuse and cruelty investigations
- Animal adoption
- Licensing and rabies vaccination
- Animal bite investigations
- Stray and abandoned animal impoundment
- Shelter system management
- Dead animal pickup and disposal
- Barking dog ordinance enforcement.
- Loose livestock management
- Wildlife issues advice and assistance.

PERSONNEL OF THE ANIMAL CONTROL DIVISION

The Animal Control Division is allocated positions in the following job classifications:

Supervising Animal Control Officer

Supervises and directs all staff engaged in the enforcement of animal control ordinances including licensing, rabies vaccination clinics, animal quarantine, complaint investigation, animal pick-up, euthanasia, and removal of dead animals; oversees the operation and daily maintenance of the animal shelter facility; assists in the development of policies and procedures; interprets, administers and enforces the provisions of federal, state and local codes and ordinances applying to animal control activities; prepares reports for various city, state and federal agencies; provides direction and expertise in difficult and emergency situations; assesses community needs and facilities and coordinates programs to meet those needs; assists in the preparation of departmental budgets and monitors expenses; maintains records of kennel operations; provides training; and participates in animal control enforcement activities.

Animal Control Officer II

Assist in the training, directing and supervision of staff engaged in the enforcement of animal control ordinances including licensing, rabies vaccination clinics, animal quarantine, complaint investigation, animal pick-up, euthanasia and removal of dead animals; interprets and enforces the provisions of federal, state and local codes and ordinances applying to animal control activities; provides direction and expertise in difficult and emergency situations; advises animal owners and the public concerning quarantine measures and other laws and ordinances governing animals; responds to and assists with unusual and difficult animal control complaints and

investigations; issues citations and appears in court as a witness to violations of the law; assists in the preparation of reports for various city, state and federal agencies; maintains records of kennel operations; and may perform kennel and clerical duties.

Animal Control Officer I

Enforces the provisions of state and local codes and ordinances applying to animal control activities; issues warnings and citations to violators; patrols County roads and other areas for unlicensed dogs and other animals; apprehends animals; responds to incoming/dispatched calls from citizens concerning animal control issues; handles animals, restraining as appropriate; transports animals to animal shelter; delivers injured animals for proper emergency treatment; conducts investigations of animal bite cases; places animals into quarantine; completes and maintains appropriate documentation; conducts investigations of potential animal abuse; initiates court actions when necessary; operates and maintains animal shelter facilities; dispatches staff members in response to calls; prepares and provides care for animals; assists walk-in visitors; shows animals to the public for re-claim or adoption; processes adoptions; issues licenses; disposes of animals; and promotes education on animal care and control.

Kennel Assistant

Maintains and cares for the physical well-being of animals contained in the animal control facility; receives animals from officers and the public; monitors and observes animals for sign of illness or injury and reports symptoms; places animal in appropriate shelter areas; cleans, changes and disinfects cage linings; feeds and waters animals as scheduled; responds to inquiries for information and identification of impounded or lost animals; assists with the re-claiming of animals and adoption; assists with medical care, euthanasia and disposal of animals.; transports animals to veterinarian; cleans and maintains facility and grounds; bathes animals and performs required grooming and care; maintains various records of care; and may perform office work as needed.

Office Assistant III

Performs a variety of highly responsible and specialized office support functions related to the activities and operations of the Division; coordinates, prioritizes and anticipates the clerical needs of the Division; utilizes the Chameleon software program in support of various Division programs.

Office Assistant II (Temporary)

Acts as a receptionist; operates office equipment; maintains and updates various files, logs and records; prepares financial records for billing and bill payments; collects money and prepares deposits and receipts; and maintains Division supplies.

2006-2007 ANIMAL CONTROL DIVISION BUDGET

Expenditures	
Salaries and Benefits	$508,277
Services and Supplies	$ 90,190
Other Charges	$ 54,795
Intra-fund Transfers	$176,941
Total Expenditures	$830,203

Revenue	
User Payments	
Animal Licenses	$100,000
Animal Control Services	$ 65,000
Inter-fund Spay/Neuter	$ 15,000
Donations	$ 750
Total User Payment Revenue	$180,750
Governmental Revenue	
Yuba City Contract	$435,378
Live Oak Contract	$ 52,773
Sutter County	$161,302
Total Governmental Revenue	$649,453

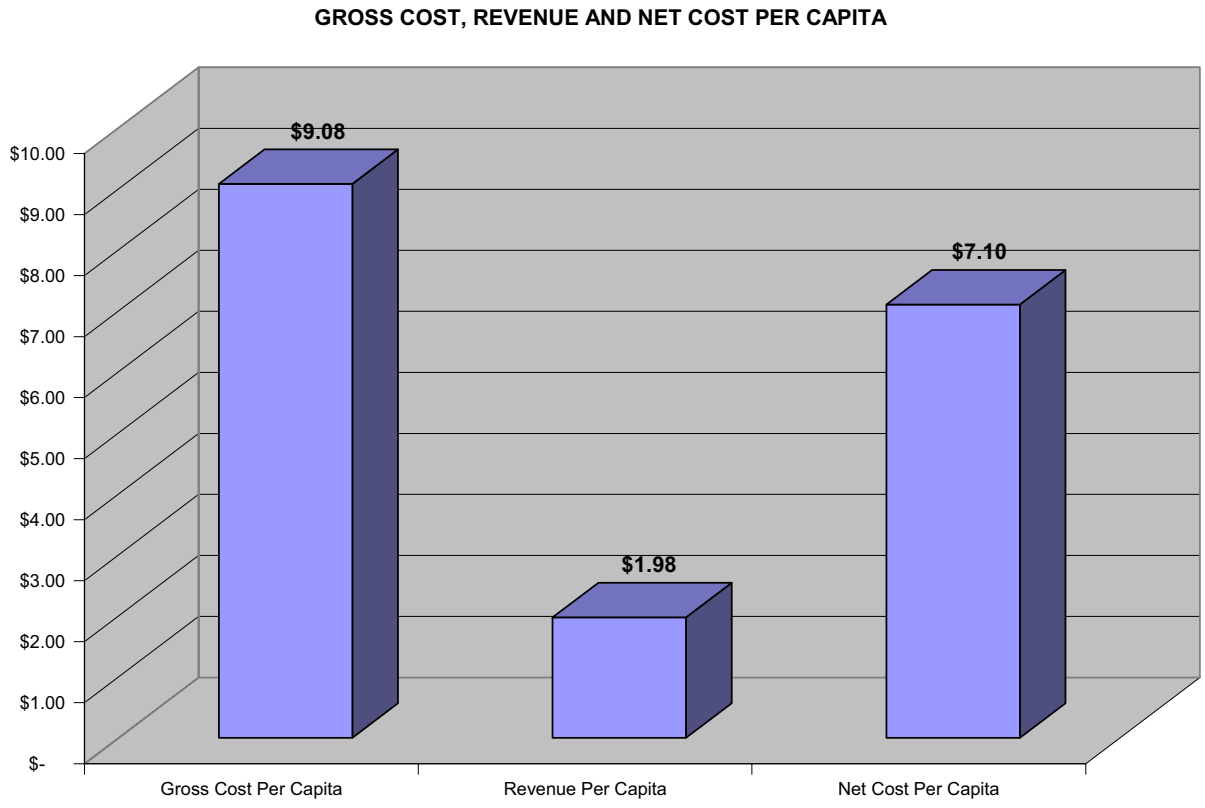
Salaries and benefits are 61 percent of the budget. This is relatively low compared to other animal control agencies but is generally typical of those agencies that use inmate labor and/or have relatively low staffing and/or salaries. The highest ratio of surveyed agencies is Contra Costa County at 80 percent. The lowest are El Dorado and Yolo counties with 50 and 51 percent, respectively. El Dorado's placement is attributable to funding associated with shelter replacement.

User payment revenue is 22 percent of the budget, which is about average, but low compared to other agencies that emphasize cost recovery and is in part a reflection of low licensing fees and recent understaffing in the Division. The highest percentage is Mendocino County at 46 percent and the lowest is Yuba County at 13 percent. See Section V for a per capita comparison of these variables.

The net county cost and city contract revenue reflect the contractual arrangement between the County and Yuba City and Live Oak. User payment revenue is subtracted from expenditures and the remainder is divided among the County and cities based on their respective populations.

Some agencies use the number of field calls and/or the number of animals impounded by jurisdiction to spread cost. Utilizing this methodology would not significantly alter the payments required of the cities in that calls and animals impounded closely match the populations of the jurisdictions and would add additional expense to track and report these metrics. Yuba City has indicated that travel time spent in servicing the unincorporated area of the County could impact cost distribution. It is true that it takes more time to travel to the outlying areas of the County. However, Citygate believes that charging for travel time will not benefit one jurisdiction over another. If an Officer responds to a call in Yuba City, then goes to Live Oak, then to the southern part of the County and then back to Yuba City, which agency is charged for what time? Citygate was not asked to analyze this specific issue, nor could we, given the current report generating capability of the Division's computer system.

2006-2007 Budget Summary	
Gross Cost	$ 830,203
Revenue	$ 180,750
Net Cost	$ 649,453



Per capita cost will be compared with other agencies in Section V of this report.

STAFFING

The Animal Control Division has been operating at reduced staffing levels for most of the last four (4) years. The table below shows termination and hires since 2002:

Position	Date of Hire	Termination Date
Animal Control Officer I	8/21/00	still employed (comp leave)
Animal Control Officer I	9/9/02	still employed
Animal Control Officer I	2/9/04	8/9/06
Animal Control Officer I	12/21/06	still employed
Animal Control Officer I (LT)	1/29/07	still employed (military leave)
Animal Control Officer II	12/7/82	9/27/02
Animal Control Officer II	7/14/97	still employed
Kennel Assistant	11/4/96	5/20/04
Office Assistant II	4/15/02	5/28/02
Office Assistant II (EH)	12/23/02	still employed
Office Assistant III	4/9/02	still employed
Supervising AC Officer	7/20/87	still employed

The Kennel Assistant position has been vacant since 2004. Two Animal Control Officers were recently hired but one of these is on military leave and is not expected back for at least one year. The other new Animal Control Officer is not fully trained and is not yet able to assume a full workload. Therefore, the Division has operated with between two and three trained Animal Control Officers for most of the last four years. These vacancies have impacted the ability of the Division to provide core services, particularly proper shelter management. This lack of staff also negatively impacts the ability of the Division to provide effective community outreach and public education programs. Low staffing also has a negative impact on the morale of the entire Division.

HOURS OF OPERATION

Sutter County's animal shelters are open to the public seven days a week. Office hours are from 8:00 AM to 5:00 PM Monday through Friday and from 3:00 PM to 5:00 PM Saturday and Sunday. Adoption and Kennel hours are from 8:00 AM to 4:30 PM Monday through Friday and 3:00 PM to 4:30 PM on Saturdays and Sundays. The staff hours are 8 AM to 5 PM, Monday through Saturday. Staff are present at the shelter when the shelter is closed to the public, in order to provide care for the animals. On holidays the "on call" Officer is responsible for cleaning the animal holding areas, watering and feeding. This Officer can do this alone or is authorized to

pick up trustees from the County jail for assistance. The Supervising Animal Control Officer is part of the rotation that is responsible for holiday shelter coverage.

Current budgeted staffing let alone actual staffing is inadequate to support being open seven (7) days a week. There are few other animal control agencies that are open to the public seven (7) days a week. The agencies that are do not suffer from the staffing deficiencies that exist in Sutter County.

The following table shows the Adoption and Kennel hours for a number of agencies:

Adoption and Kennel Hours of Operation

Agency	Monday – Friday	Saturday	Sunday	Notes
Berkeley City	10-4, until 7 Weds	10-4	11-3	
Contra Costa County	10-5, until 7 Weds	10-5	Closed	Closed Monday
El Dorado County	9:30-4:30	9:30-4:30	Closed	Closed 12-1
Mendocino County	10-4, until 7 Weds	10-2	Closed	
Monterey County	12-5:30	12-5:30	Closed	
Napa County	10-5	11-5	Closed	
Placer County	10:30-5, until 7 Weds	10:30-5	Closed	Closed Sat 1-2
Plumas County	8-5, until 7 Weds	Closed	Closed	Closed 1-2
Sacramento City	11-6	10-4	Closed	Closed Monday
Sacramento County	10-5, until 7 Weds	10-4:30	Closed	Closed Monday
San Diego County	9:30-5:30	9:30-5:30	Closed	
San Francisco City/County	12-6, until 7 Weds	12-6	12-6	
San Luis Obispo County	8-5, until 7 Weds	10-4	Closed	
Santa Barbara County	10-4:45	10-4	Closed	
Santa Cruz JPA	12-5:30	12-5:30	12-5:30	
SEAACA JPA	Tue–Fri, 11-6	11-5	Closed	Closed Monday
Shasta County	10-4:30	Closed	Closed	Closed 12:30-1:30
Solano County	10-6	10-2	Closed	
Sonoma County	Tue–Fri, 12-5:30; until 7 Weds	10-5	Closed	Closed Monday
Stanislaus County	9-5, until 7 Weds	10-5	Closed	
Sutter County	**8-5**	**3-4:30**	**3-4:30**	
Ventura County	Mon 10-7, Tue–Fri, 3-7	9-4	Closed	
Yolo County	Tue–Fri 10-6	10-4	Closed	Closed Monday
Yuba County	10-4	9-12	Closed	

ANIMAL CONTROL DIVISION FUNCTIONAL UNITS

Administration

Administrative tasks of the Sutter County Animal Control Division are primarily performed by the Supervising Animal Control Officer with assistance from the Community Services Department's Administrative Services Officer relative to budget, human services, purchasing, and information technology.

Leadership

The Supervising Animal Control Officer has been with the Division for twenty (20) years, is talented and dedicated, and has an extensive grounding in animal control issues. She has extensive knowledge relative to animal husbandry and is able to effectively train and manage her workforce. This knowledge base positively affects her ability to provide leadership for the Division.

Supervision and Management Span of Control

Supervision and management of the Division can be characterized as informal and collegial. This approach is essential given the fact that the Division consists of only eight staff and that both the administrative office and ACO offices are small and cramped.

Direct reports to the Supervising Animal Control Officer include the Animal Control Officer II, the three Animal Control Officer Is, the Kennel Assistant and the Office Technician III. This is an appropriate span of control under the current circumstances.

Accountability

Accountability mechanisms in the Animal Control Division are adequate in some areas but could be improved. Citygate made the following observations:

1. The Division does not have its own mission statement. The mission statement of the Community Services Department, while good, is not specific to the mission of the Animal Control Division.
2. The Division has defined goals but lacks measurable objectives anchored by a Division mission statement.
3. The Division does not effectively use performance measures that measure cost, quality and timeliness.
4. The computer system is not yet being used to generate all of the reports needed to effectively manage the Division
5. The allocation and management of resources are not closely linked with the attainment of specific results.

Staffing deficiencies play a role in the lack of development in the above accountability categories. Just being able to provide core Division functions with the recent vacancies has been a challenge.

Employee Morale

Citygate conducted confidential interviews with all staff members of the Animal Control Division. The Animal Control Officer II has been with the Division for over ten (10) years, one of the Animal Control Officer I's and the Office assistant III have been with the Division for over five (5) years. The other two (2) Animal Control Officers and temporary Office Assistant II have less than one year of experience with the Division. Morale can best be described as mixed. All of these employees expressed an understanding of the role of animal control in the community. They recognize that their jobs have importance and they felt that their contribution to the Division is recognized and appreciated by the Supervising Animal Control Officer. Turnover in the Division has been low. The most recent Animal Control Officer to leave the Division did so to take charge of the Yuba County animal control program. Citygate had occasion to talk with this individual. She expressed strong support for the Sutter County Animal Control Division, its staff and management.

The negatives expressed by the Division's employees were centered on the need for a new facility and the understaffing of the Division. The understaffing, as noted above, is a serious issue that needs to be addressed. The understaffing affects the ability of Division employees to schedule time off and is a major contributor to stress. Another area of concern involved Officer safety issues, specifically the radio system, use of pepper spray and bite sticks, and the lack of bulletproof vests. Also mentioned was the need for on-site veterinary support and the level of compensation for on-call assignments.

The radio system will be addressed later in this report. The use of bite sticks and pepper spray was curtailed because some staff members lacked sufficient training in the use of these implements. Training is being scheduled and staff will be equipped with these items when the training is complete. Bullet proof vests are provided by some agencies. The work of animal control officers takes them into contact with the full spectrum of the community. Some individuals with whom they have enforcement contact are criminals and/or violent individuals. Providing bullet proof vests is not a large expense, (approximately $600 per vest) and should be given serious consideration. We will address veterinary support in a subsequent part of this report. Policies relative to on-call and call-out pay are County-wide compensation issues that would need to be addressed through the labor/management negotiation process.

Compensation

Salary administration in a public jurisdiction needs to take into account the ability of personnel to live in the community for the compensation offered, what other comparable jurisdictions pay for similar work, the equity of compensation when compared to other employment classes within the jurisdiction, and the ability to attract and retain competent employees for the compensation offered.

Compensation includes more than just salary. Benefits play an increasingly important role in attracting individuals to public sector employment. Health benefits, paid time off, and defined benefit retirement plans increase the value of most public sector jobs when compared to what is offered in the private sector.

Sutter County offers a competitive benefit package that includes the following:

Retirement: The County is a member of the Public Employees' Retirement System

(PERS) and Social Security Program. The current retirement formula for miscellaneous members is 2.7 percent @ 55. The County pays approximately 8 percent of the employee's contribution towards retirement which is payable to the employee through retirement or upon termination of employment.

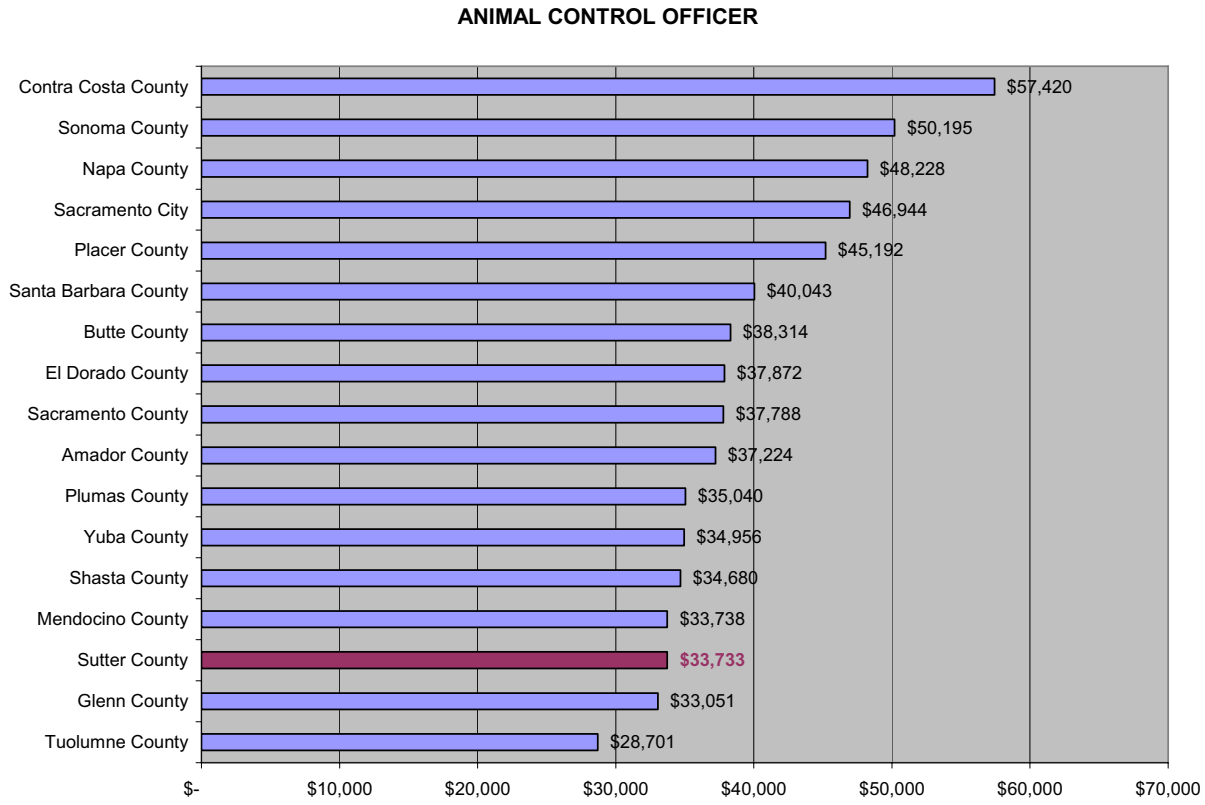
Medical, Dental, Vision and Life Insurance: The County pays the major portion of health, dental, vision and life insurance for employee and dependent(s).

Paid Leave Days: Employees receive eleven days vacation per year for up to five years service; fifteen days up to ten years; seventeen days up to fifteen years; twenty days after fifteen years. Twelve paid holidays per year. Sick leave accrues at the rate of eleven days per year.

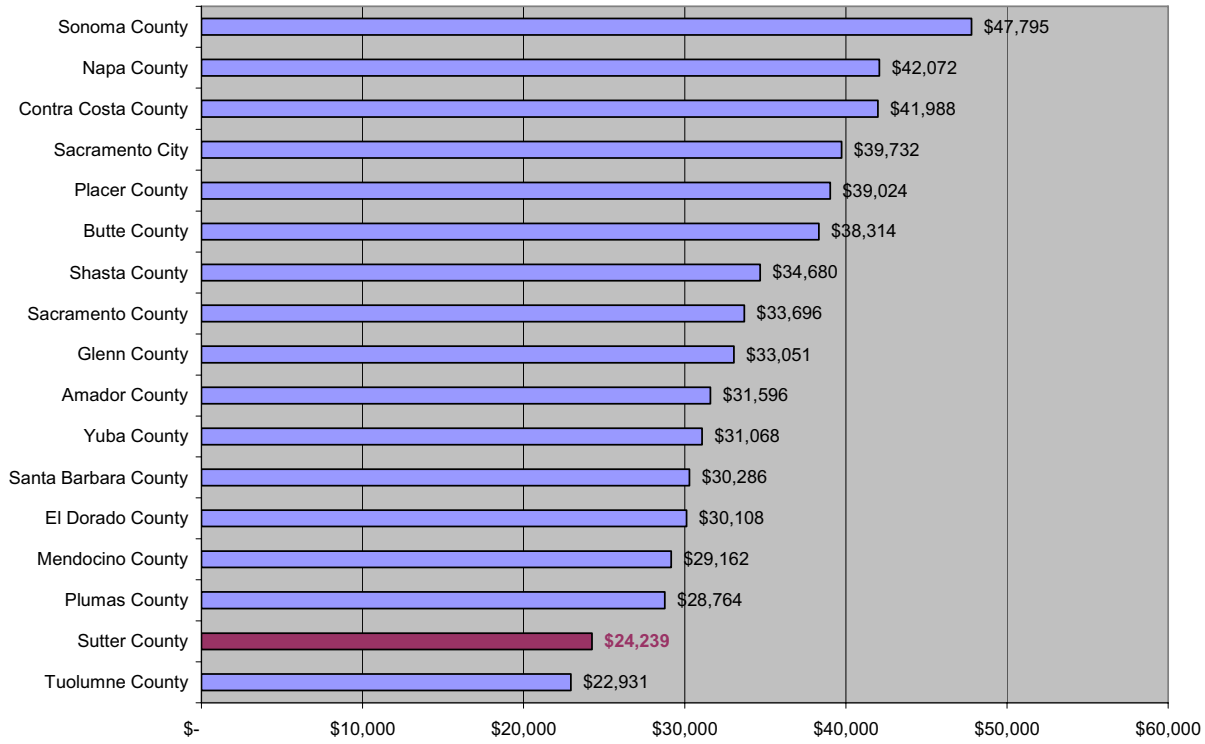
Deferred Compensation: Employees may participate in deferred compensation plans.

Salary Survey

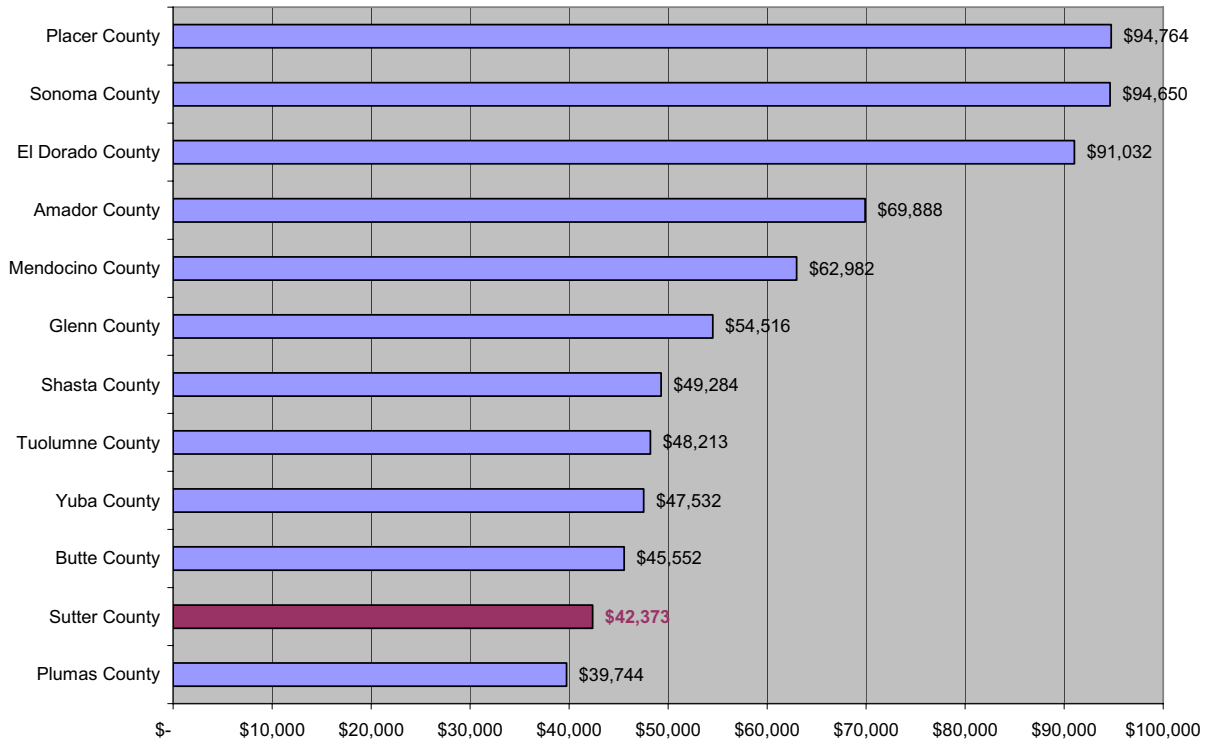
The following charts set forth top step salaries for the classes of Animal Control Officer I, Kennel Assistant and Supervising Animal Control Officer:



KENNEL ASSISTANT



SUPERVISING ANIMAL CONTROL OFFICER



From this data we see that Sutter is in the lower quartile even if the larger higher paying jurisdictions are eliminated from the Animal Control Officer I and Kennel Assistant charts. The larger jurisdictions are eliminated from the Supervising Animal Control Officer chart and the result is that Sutter County's pay is second to last of those agencies surveyed.

When classifying positions and establishing salaries it is important to consider:

- Independence of action
- Direction received
- Knowledge and abilities required
- Time to train
- Consequence of error.

Most of the typical tasks associated with animal control work are carried out absent immediate supervision, require the understanding, interpretation and enforcement of State laws and County ordinances, often under adverse and stressful circumstances, and entail extensive public contact. The training period for Officers is one year.

The consequence of error factor is of particular importance. Consider the consequences of an Animal Control Officer making a mistake on the job. He or she often enters into highly volatile domestic situations wherein citizens can be angry, if not violent. In addition, on a daily basis, Animal Control Officers are confronted with fractious difficult to handle animals, and must drive a County vehicle thousands of miles a year. A mistake can lead to personal injury, the death of someone's pet and as a consequence liability for the County.

An objective look at these factors would lead most to conclude that an Animal Control Officer would rank higher than, for example, the classes of Appraisal Aide, Building Services Worker, Elections Clerk II, Grounds Keeper II, Correctional Technician or Lead Custodian. All of these classes have higher salaries than Sutter County's Animal Control Officers.

Citygate does not claim this survey data to be definitive. However, when combined with our general knowledge of salaries in the animal control industry and the observed internal salary inequities, we conclude that the County needs to fully examine the salaries in the Division.

Longevity Pay

Employees who have been at step five for five (5) years or who have 10 years continuous service receive a 5 percent longevity pay step.

Sutter County also offers a form of merit-based longevity pay as follows:

> Pay For Service With Distinction:
>
> 15 Years Service:
>
> A regular employee with a minimum of three hundred and ninety (390) biweekly pay periods (fifteen years) continuous County service and who has been on longevity step for a minimum of one hundred and thirty (130) biweekly pay periods (five years), shall be eligible to receive a two and one-half percent (2.5%) salary increase, provided such employee meets the following requirements:

a. Has received above standard or higher performance evaluations the last three (3) years, before becoming eligible for the Pay For Service With Distinction; and

b. The employee has no pending discipline or previous disciplinary actions the last three (3) years of employment, prior to becoming eligible.

Upon meeting the above conditions and with a positive recommendation from the appointing authority, such employee shall receive a two and one-half percent (2.5%) salary increase.

20 Years Service:

A regular employee with a minimum of five hundred and twenty (520) biweekly pay periods (twenty years) continuous County service and who has been on longevity step for a minimum of one hundred and thirty (130) biweekly pay periods (five years) shall be eligible to receive an additional two and one-half percent (2.5%) salary increase, provided such employee meets the following requirements:

a. Has received above standard or higher performance evaluations the last three (3) years, before becoming eligible for the Pay For Service With Distinction; and

b. The employee has no pending discipline or previous disciplinary actions the last three (3) years of employment, prior to becoming eligible.

Upon meeting the above conditions and with a positive recommendation from the appointing authority, such employee shall receive a two and one-half percent (2.5%) salary increase.

Removal of Pay for Service With Distinction:

In the event an employee who is currently receiving Pay For Service With Distinction receives a standard evaluation or below on the next regularly scheduled performance evaluation or receives significant disciplinary action, such employee shall lose eligibility to continue to receive such salary increase for a minimum of six (6) months. Such employee shall not be eligible to receive such increase again until a new performance evaluation rates the employee above standard or higher. Nothing herein shall preclude the appointing authority from giving an employee a performance evaluation more than once during each calendar year.

The Supervising Animal Control Officer is the only person in the Division eligible for "Pay for Service With Distinction" and is currently receiving one additional 2.5 percent pay step in addition to the 5 percent longevity pay step.

Staff Training

Adequate training is a key component in attaining employee performance and satisfaction, productivity and quality customer service.

It is an axiom of training that people retain 10 to 20 percent of what they read, 50 percent of what they see, and 90 percent of what they do. Many of the tasks of the Division are activities

that require the manipulation of tools and the movement of animals. These are best learned through doing. However, there is a lack of classroom training and little testing of learned knowledge or skills.

As stated earlier in Section II of this report, Animal Control Officers are required by State law to acquire a P.C 832 Module A Certificate. Sutter County requires that this certificate be obtained within the first six months of employment. The requirements relative to the curricula are proscribed by the California Commission on Peace Officer Standards and Training. The Arrest and Firearms (PC 832) course consists of two components, which total a minimum of 64 hours. The Arrest component has a 40-hour requirement, and the Firearms component has a 24-hour requirement. All kennel and field staff have also attended state mandated euthanasia training.

Field operation staff is initially deployed in the kennels to learn basic animal handling skills and animal breed identification. When the Supervising Animal Control Officer determines that a person is ready, they are assigned to the Animal Control Officer II for field training. The Supervising Animal Control Officer also provides some field training. There is no "classroom training" where State laws, the Animal Control Ordinance, Division policies, procedures and history are studied or their assimilation tested. Once deployed in the field by themselves, the Supervising Animal Control Officer periodically accompanies them to determine if proper policies and procedures are being followed.

Another training issue of concern is the lack of safe vehicle operation training. Animal Control Officers spend a large amount of time driving an assigned animal control vehicle in all weather conditions and at night. Our observations lead us to believe that the County's liability exposure would be lessened if Officers were provided with driver training specific to their vehicles and job duties before being deployed in the field. Specific emphasis should be placed on the completion of paperwork and the clearing of the call with dispatch before placing the vehicle in motion. Backing accident awareness and avoidance should also be included in any vehicle training program developed for Division field personnel. The County's Risk Management unit should be consulted relative to a review of this area.

The Division is fortunate in that the Supervising Animal Control Officer and the Animal Control Officer II are experienced in the capture, movement and transport of livestock. This invaluable knowledge is included in the Division's training. This is an important safety issue. Large animal movement is inherently dangerous and is one of the primary risk exposures for animal control field staff along with vehicle accidents and animal bites.

Training provided by other animal control agencies and recommended by humane and animal control organizations is being considered in developing the Division training program and manual. The training guide published by the National Animal Control Association and the training program and guide utilized by Yolo County are being utilized as models in the development of the Division's training manual

The California Animal Control Directors Association, in conjunction with the State Humane Association and the California Veterinary Medical Association, conducts state-wide training in various animal control and animal health areas at their annual conference. The Division's staff has attended these training conferences and the specific classes attended have been tracked and documented by the Supervising Animal Control Officer.

The Division has successfully utilized outside training to augment employee knowledge and skill

sets. For example: The Supervising Animal Control Officer and the Animal Control Officer II have attended the National Animal Control Association basic and advanced academies. Other classes attended by various staff members include: CLETS, Chemical Capture, Diversity/Discrimination, Livestock/Poultry Welfare, Bio Security, Managing Marginal Employees, Grievance Handling, Illegal Animal Fighting, Compassion Fatigue, and Shelter Operations. In addition, the Supervising Animal Control Officer and the Animal Control Officer II have completed a video training series that included the following major topics: Dog Bite Prevention (two tapes), Canine Behavior (two tapes), Animal Care (six tapes), Kennel Assistant Training (six tapes), Leading the Pack (one tape), Puppy's First Year (one tape), and Kittens to Cats (one tape). This training will be provided to the two new Animal Control Officers in the near future.

Citygate Associates observed that training and professional development in the Division, while adequate in most instances, could be improved to ensure operations are run in a more efficient, effective and safe manner.

Individual training plans should be developed for each employee. This ensures that employees receive training customized to their needs, strengths and weaknesses. Formal training for new employees should be expanded. Incorporation of written policies and procedures into the training will increase its benefits. Cross training of employees will improve customer service and teamwork and enable employees to fill in for other employees when they are absent. This is particularly important in regards to the Chameleon Software system.

Provision should be made to evaluate all training to ensure it is achieving its objective. Employee feedback on training is one type of evaluation. Another is to measure the impact of training on customer service ratings and work performance.

Performance Appraisal System, Rewards, and Discipline

New employees serve a twelve (12) month probationary period. New hires are evaluated every three (3) months. After an employee passes probation they are evaluated annually by the Supervising Animal Control Officer. The current performance appraisal system is based on a written annual evaluation of each employee by the Supervising Animal Control Officer. Each employee has the opportunity to review the evaluation, discuss it with the Supervising Animal Control Officer and/or file written objections. During the initial years of working within a job classification, a salary step increase of 5 percent can be earned annually if merited based on performance until the employee reaches the top of the salary range. Additional 2.5 percent increases can be earned as noted above in the description of "Pay With Distinction."

Policies and Procedures

The Division has a well developed Policies and Procedures Manual. The Manual is well organized and covers important animal control areas. The Manual covers the following topics:

100 ORGANIZATION/GOALS

110 Purpose

111 Background
112 Mission Statement

120 Staffing

121 Organization Chart
122 Staff Positions
122.1 Supervising Animal Control Officer
122.2 Animal Control Officer II
122.3 Animal Control Officer I
122.4 Kennel Assistant
122.5 Office Assistant II

200 PROCEDURES

210 Office Procedure

211 Overview
211.1 Customer Service
211.2 Telephones
211.3 Bulletin Board
211.4 Office Appearance
211.5 Forms
212 Licensing
213 Receiving Animals, Taking in an Impound
213.1 Holding Time for Impounded Animals
214 Adoption of Animals
214.1 Viewing the Kennel
214.2 Adoption Process
214.3 Completing the Records
214.4 Adoption Return Policy
215 Retrieval of Pets/Animals by Owners
215.1 Viewing the Kennels and Cages
215.2 Proof of Ownership
215.3 Paying Fees
215.4 Completing the Records
216 Accounting
216.1 Donations
216.2 Processing Deposits
216.3 Processing Claims/Paying Invoices
217 Budget
218 Community Relations
219 Reports/Records
219.1 Formal Complaint Procedure

220 Kennel Procedure

221 Overview
221.1 Euthanasia
222 Receiving and Sheltering Animals
223 Monitoring Animals
223.1 Security and Assistance in the Kennels

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224 Quarantine
225 Cleaning
225.1 Dog Kennels
225.2 Cat Rooms
226 Feeding and Watering
227 Transportation to Veterinarians
228 Grounds and Building Maintenance
229 Reports and Records
229.1 Sutter County Animal Control Record Impound Slip

230 Field Procedures

231 Overview
232.1 Call Priority
232 Patrol
231.1 Patrol Areas
231.2 Standby Patrol
231.3 Responding to an emergency/after hours call
231.4 Field Equipment
233 Enforcement of Laws/Citations
233.1 Injured Animals
233.2 Impounding/Stray Confinement
233.3 Abandoned Animals
233.4 Potentially Dangerous Dogs
233.5 Vicious Dogs
234 Investigations
234.1 Animal Bites
234.2 Dogs-At-Large and Animals-At-Large
234.3 Animal Nuisances
234.4 Cruelty Cases
234.5 Vicious and Dangerous Dogs
235 Transportation of animals
235.1 Deceased animals
235.2 Unloading Animals at the Shelter
235.3 Transporting to/from Veterinary Clinics
236 Quarantine
236.1 Home Quarantine
236.2 Shelter Quarantine
236.3 Quarantine Procedures for Home or Shelter Quarantines
236.4 Releasing a Quarantine
237 Euthanasia
Purpose
Scope
Policies
Procedures
Euthanasia Process
237.1 Injured Animals

237.2 Sick Animals
237.3 Unwanted Homeless Animals
237.4 Administering Euthanasia
238 Court Action
239 Reports and Records

300 Policies

310 Use of County Vehicles
320 Radio Codes
321.1 Standard Radio Codes
321.2 Department Radio Codes
330 Requests for Vacation/Overtime

The Policies and Procedures Manual provides adequate guidelines to assure the efficient operation of office field and shelter activities. Additional written policies and procedures are needed or need to be strengthened in the areas of disease control, complaint investigation and reporting, scanning for microchips, overtime and on-call time, documentation and control of controlled substances, inventory control of dog food and other supplies, shelter security, lunches and breaks, use of Division property, equipment and supplies, time reporting, adoption, hours of operation, licensing issuance and enforcement, emergencies, dress code, employee safety and animal identification. **Of primary importance is the need to update the manual taking into account changes necessitated by the installation of the Chameleon software system.**

Division Publications

Well developed pamphlets, fact sheets and forms are an important component in an animal control program. They ensure important information is disseminated to the public quickly, economically and consistently.

Citygate examined the publications that are available from the Animal Control Division. These publications are:

- Yuba-Sutter Spay/Neuter Clinic Information Pamphlet
- Spay/Neuter Fact Sheet
- West Nile Virus Pamphlet
- Animal Control Services And Laws Pamphlet
  - Leash Law
  - Barking Dogs
  - Licensing
  - License Tag
  - Animal Immunization
  - How to Find a Lost Pet
  - Education in Public Schools

- Reasons for Spaying Pet Adoption
- The Do's and Don'ts of Dog Ownership
- Division Phone Number

- Disaster Preparedness for Horse Owners
- Barking Dog Complaints Procedures
- One Litter is Too Many Spay/Neuter Information
- Parvovirus Fact Sheet
- Kennel Cough Fact sheet
- Exotic Newcastle Disease Information For Bird Owners
- Rabies Information Sheet
- Local Area Veterinary Services List (Contact Information)
  - Emergency Services
  - After Hours Emergency services
- List of Approved Rescues (Eight Pages)
- Found Cat Report
- Found Dog Report
- Lost Cat Report
- Lost dog Report
- Procedure for Filing a Formal complaint
- Suspect Rabid Animal Contact Check List
- Certificate for a Free Physical Exam (Adopted Animals).

Some of these publications would benefit from a better physical presentation and the Division should consider Spanish language versions of all of its publications. The U.S. Census data for Sutter County extrapolated for population increases since the 2000 census shows that there are approximately 20,000 Hispanics living in the County and of those, approximately 14,000 speak only Spanish in the home. In other words, 22 percent of the County's population is Hispanic and 16 percent of the County's population speaks only Spanish at home.[1] Citygate is not making a political judgment relative to English vs. Spanish. However, this large group of people needs to be informed of animal control laws and policies.

Information Technology

As workloads increase, information technology improvements become mandatory if an agency is to fulfill its service responsibilities. All major agencies have installed software and hardware that enables them to keep track of service calls, animal inventory, work schedules, call frequency

[1] US Census Bureau Fact Sheet, Sutter County, Hispanic Population Characteristics, http://factfinder.census.gov/home/saff/main.html?_lang=en

by area, complainant and defendant records, rabies control information, administer animal licensing, etc. These systems provide a relational database from which virtually any report can be generated. Many agencies have installed the Chameleon system from HLP Inc.

The Animal Control Division installed the Chameleon software system in September, 2006 and brought the system online in December, 2006. Chameleon is a "state of the art" animal control software system.

Chameleon has the ability to automate many aspects of kennel management. Daily review of any aspect of kennel management can be seen. Intake and outcome statistics can be tracked and reports can be generated. These reports can cover anything tracked from counts by type, to length of stay, to euthanasia counts, and can be done by day, week, month, quarter, year, or specified period. Evaluation of kennel space and length of holding time can be shown. Specific guidelines and rules can be entered to be applied in a consistent manner. The inherent stress in animal management decisions can be partially resolved by utilizing this feature of the software. There are outcome fields, "holds" on animals, and reevaluation features. Searches for lost and found animals can be accomplished quickly and easily. Furthermore, tracking through home kennel and foster care programs can be integrated into Chameleon.

Chameleon was designed to track individual case information on animals and all actions related to the animal. As actions occur, relevant data can be added to the system. As time passes, a complete history can be built upon and is readily accessible. When queries for information are made using Crystal Reports, all data associated with the animal can be retrieved. Each animal can be assigned a unique ID as it is entered into the database. Chameleon's look-up capabilities make an easy job of finding, tracking, and associating animals in the database. As the animal progresses through the system, related records are tied to the original ID. Chameleon provides an overall summary profile for an animal which can aid in making appropriate match-ups for adoption.

Chameleon has front counter functions to sell individual licenses. Batch functions are provided for the entire license renewal process. Renewals can be generated monthly or yearly for mass mailing using Crystal Reports. Chameleon can make dramatic improvements in the license department. People can be given the tools to be more productive and license volumes can be increased. Both techniques can increase revenue for the Animal Control Division.

Chameleon has a comprehensive set of financial management, clinic management, field operations management and donor/volunteer management capabilities built into the system.

The Office Assistant III has been assigned lead responsibility relative to bringing Chameleon online and in conducting ongoing training for other Division staff. Staff shortages and recent new hires have slowed this training. The Division needs to develop an "Action Plan" in conjunction with the Community Services Department to ensure that; (1) all applicable capabilities of the system are brought online; and (2) all staff are trained to proficiency on the system. Citygate suggests that it may be cost effective to utilize Chameleon staff to streamline this training in order to ensure that the Division's staff is able to fully utilize this invaluable resource as soon as possible. Chameleon training is available for approximately $1,000 per day. Crystal Reports development and training is available through a consultant for $500 per day. One to two days would be required for Crystal Reports development and training.

The Website

In the course of this study and others, Citygate has had the opportunity to review over 50 animal control web sites. Sutter County's animal control site would rate in the upper half of those sites we have visited. The Division's website has a large amount of useful information that is well organized and relatively user friendly. It provides information regarding the location of the Division shelter and hours of operation. The website has an email message link and provides links to the following:

- Google Maps
- American Society for the Prevention of Cruelty to Animals
- Animal Rescue & Adoption Resources
- Cruelty to Animals Statutes.

The website is divided into seven (7) main sections:

Adoptable Animals and Lost and Found Animals

The website has a link to "Pet Harbor" which is a national pet locator database. A person can look for a lost pet or search for an adoptable animal from a computer. Effective participation in the program requires that agencies be diligent in taking photographs of the animals brought into the shelter, posting the photographs and descriptive information on the "Pet Harbor" website, and removing the information once the animal is no longer at the shelter. Our review of the website confirms that the Division's staff is conscientious in carrying out the tasks required.

Animal Bites

The website provides helpful information relative animal bites and rabies. This section is divided into the following parts:

- Do Not Take Animal Bites Lightly
- What is Rabies?
- How Does Rabies Occur?
- How Can Animal Bites and Rabies be Prevented?

Links are provided to:

- California Dept of Health Services - Infectious Disease Branch
- California Dept of Health Services - Rabies Fact Sheet
- Center for Disease Control - Rabies Home.

Dangerous Animal Reporting
(http://www.co.sutter.ca.us/doc/government/depts/cs/acs/dangerousanimals)

This section provides contact information for Animal Control and the Sheriff's Office in order to report dangerous animals.

Dog Licenses

This section provides information relative to the legal requirements relative to dog licensing and the procedure to follow for licensing in Sutter County.

Fees

This section lists all of the animal control related fees in Sutter County

Nuisance Animals

This section defines a nuisance animal and provides contact information for reporting to the Animal Control Division.

The Website could be improved by listing the hours of operation on the home page, adding a frequently asked questions page, providing the date and location of low-cost rabies vaccination clinics, providing information on the benefits of spay/neuter, providing links to other area shelters, the Yuba-Sutter SPCA and to the "Denver Dumb Friends League Pet Behavior Advice Page" (http://www.ddfl.org/tips.htm). The latter is a database that provides helpful information to pet owners relative to virtually any pet behavior issue.

Licensing Program

Dog licensing is required by State law in all counties that have been declared rabies areas by the State Department of Health. Currently all of the State's 58 counties have been declared rabies areas.

To obtain a dog license an owner must show proof that the dog has received a valid rabies vaccination. The dog license is visible proof that the dog has been vaccinated against rabies. Licensure also ensures that the owner will be contacted if the animal finds its way into a public shelter. A modern dog licensing system will be computerized and will contain alternate phone numbers, medical information and other data that shelter personnel can use to assure that the animal is properly treated while at the shelter and that appropriate people are contacted so that it can be redeemed as soon as possible.

The extent to which public animal control departments rely on the fee revenue derived from dog licensing to offset program costs varies widely. State law requires that at least a 50 percent discount be granted to owners who have had their dog spayed/neutered. Some agencies have raised the unaltered dog license rate to a very high level and/or have offered significant discounts for altered animals as an incentive for owners to have their animals spayed/neutered.

Enforcement efforts relative to license compliance also vary widely. Some agencies rely exclusively on the issuance of court citations to enforce compliance, while others utilize canvassing teams to increase the number of licensed dogs and revenue.

The issuance of court citations is very time consuming and very inefficient if it is the only method of license enforcement employed. In addition, fine revenue has no return to source provision so that the animal control agency does not share in the fine revenue. Ordinances that require local veterinarians to provide copies of rabies vaccination certificates to the local animal control agency and the utilization of a computer cross match between the agency's licensing file and the rabies certificate provides a cost-effective first step in the licensing enforcement system. Other trends include using e-commerce via the Internet, allowing the use of credit cards for payment, area canvassing, allowing veterinarians to issue dog licenses, selling licenses at rabies vaccination clinics and making the issuance of citations a performance rating criteria on annual animal control officer evaluations.

Sutter County relies on court citations and the matching of rabies vaccination information via the Chameleon computer system for the majority of licensing enforcement.

One way to increase revenue from the citation process is to charge an administrative fee to clear the citation before it is sent to the court. A person issued a citation can produce proof that the dog is licensed to the Animal Control Division, pay for the license, and pay the administrative fee. The citation is then voided.

Revenue Collection and Fees

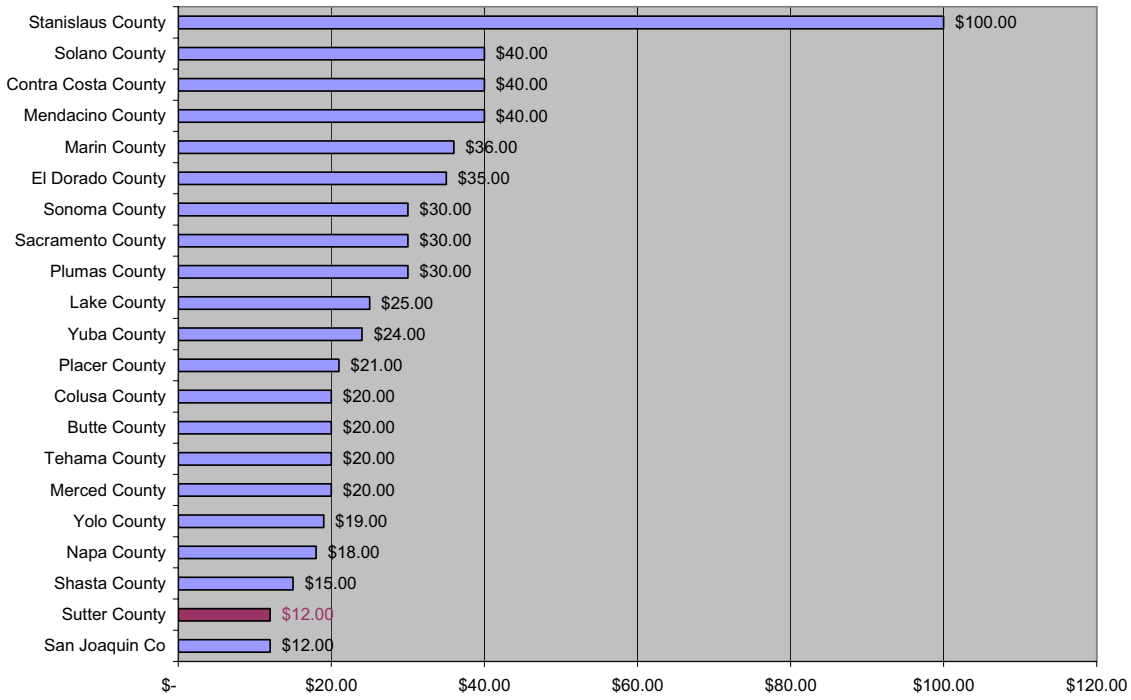
The Division should annually examine its fee structures to make sure the fees charged adequately cover the cost of providing the service to the extent possible. The impact of the fee amount on compliance must also be examined. For example, increased revenue projections derived from increases in redemption and surrender fees must be weighed against the operational costs if animals are not redeemed by their owners or if animals are declared stray instead of owned in order to avoid the surrender fee. In a like manner, increased licensing fee revenue must be balanced against the risk of increased non-compliance with licensing regulations.

Billing procedures and collection strategies should be examined in order to reduce the amount of uncollected revenue. An analysis of these costs versus the cost of non-collectable debt should be undertaken. Strategies for referring bad debt to collections should also be developed. Acceptance of credit cards to pay fines and fees should be considered to reduce the expense of billing and increase the rate of revenue collection.

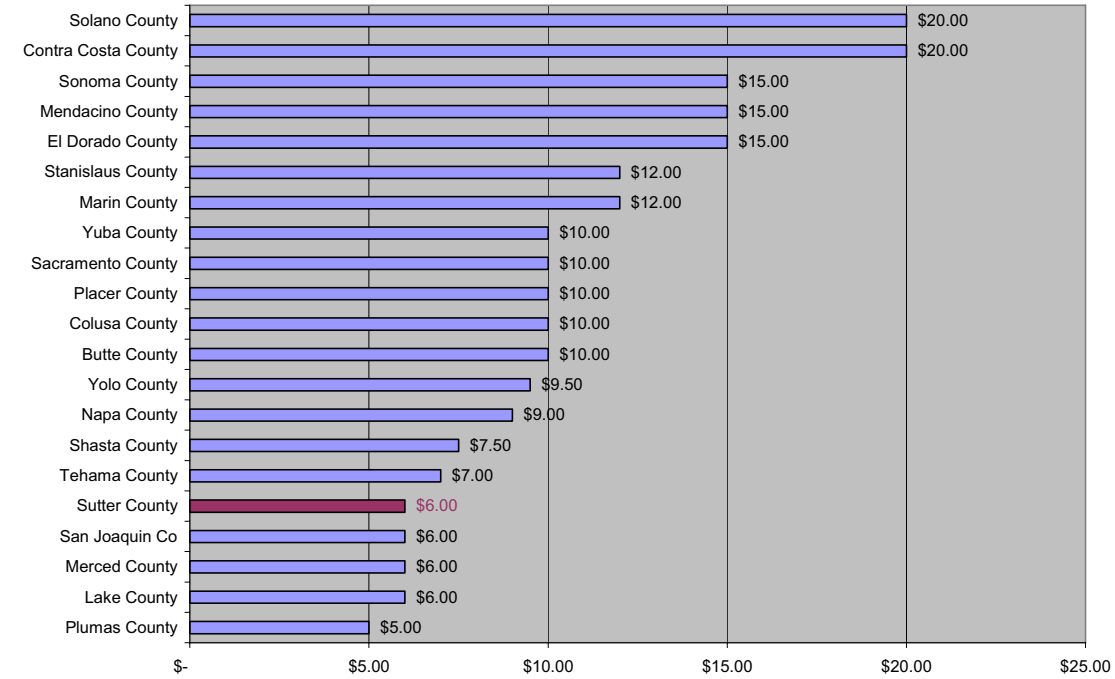
Dog Licensing Fees

Sutter County is tied for last out of 21 surveyed California counties in the amount charged for an un-altered one year dog license and second to last in the amount charged for an altered one year dog license. Licensing Revenue is budgeted at $100,000 or $1.09 per capita.

ONE YEAR UNALTERED DOG LICENSE FEE



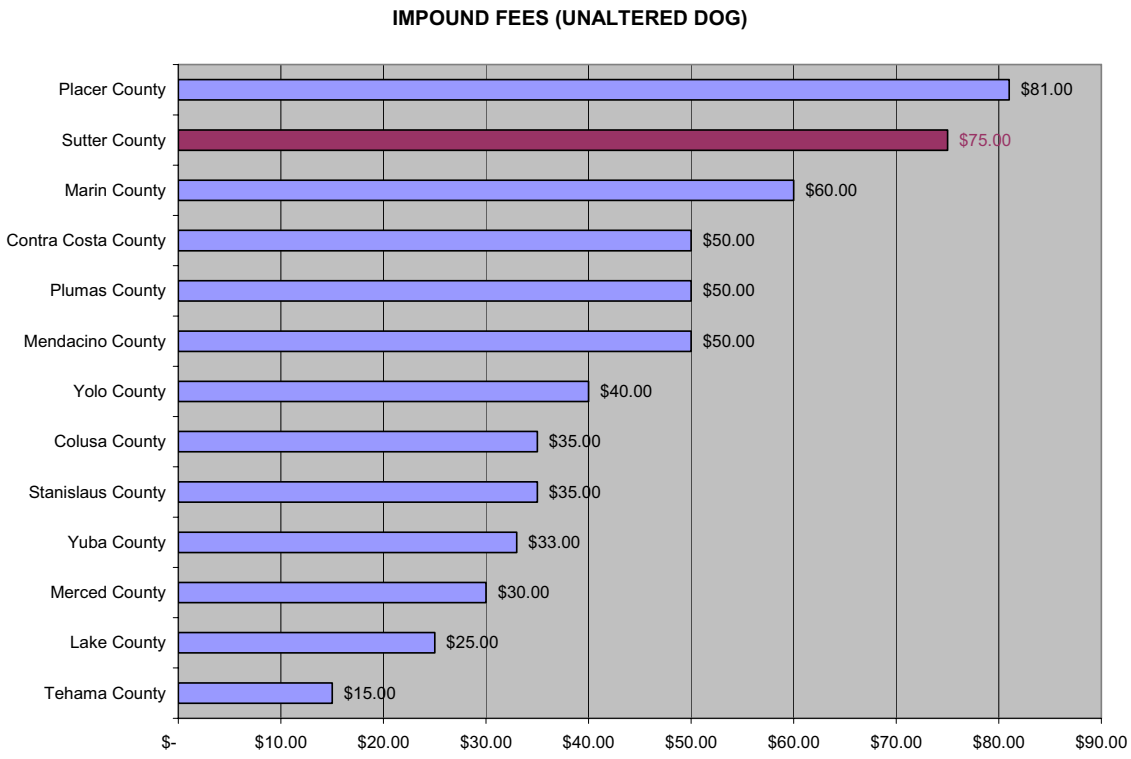
ONE YEAR ALTERED DOG LICENSE FEE

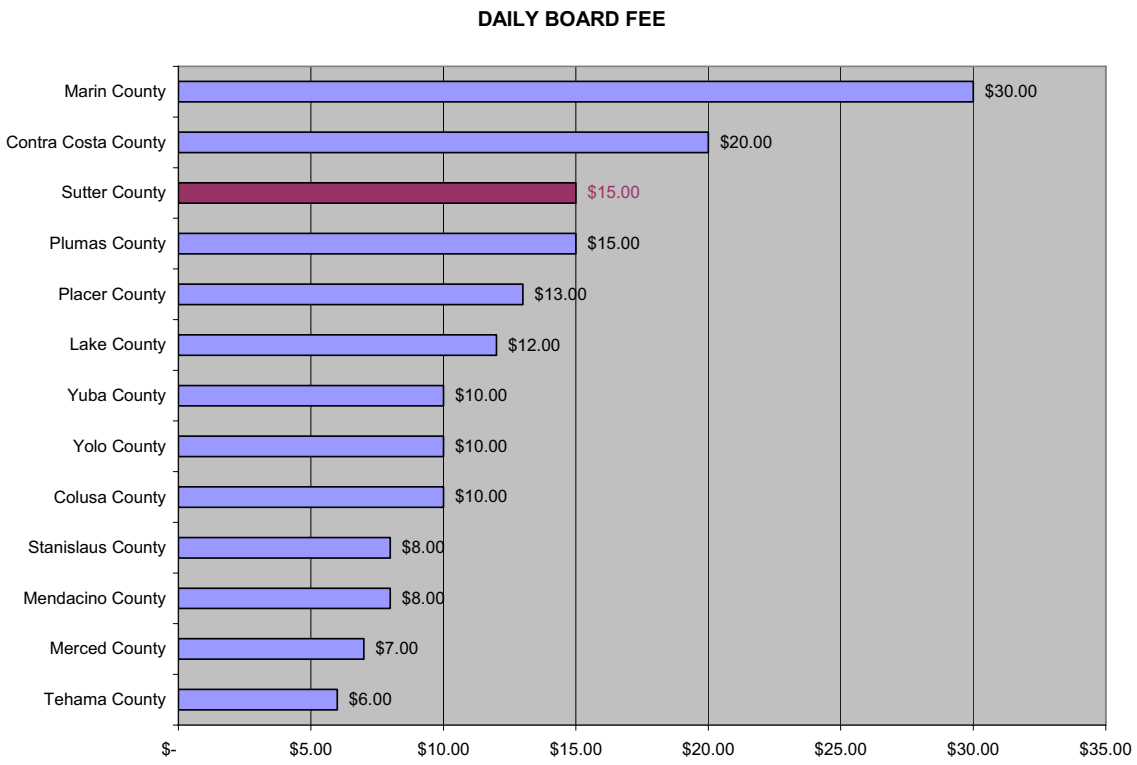


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Impound and Board Fees

Almost all animal control agencies charge a fee to reclaim an impounded animal and they also charge for the care of that animal while it is at the shelter. Sutter County has the second highest redemption fee of the agencies surveyed and is tied for third highest in daily board fees. All Animal Control Division fine and fee revenue is budgeted at $65,000 or $.71 per capita.





Sutter County should thoroughly examine its fee structure relative to the amount currently charged and what additional fines and fees could be promulgated.

OFFICE

Office staff consists of an Office Assistant III and a temporary Office Assistant II. It is our understanding that the temporary employee is due to be laid off at the end of the fiscal year. Citygate cautions against this given the workload of the Division. The work performed by this person will not go away and will result in higher paid Animal Control Officers being taken out of the field to do clerical work.

The office staff is responsible for answering the phones and dispatching field staff through the use of Nextel walky-talky hand held transceivers. They are responsible for serving walk-in customers, inputting and retrieving information using the Chameleon computer system and conducting various clerical tasks associated with:

- Redemption of impounded animals
- Adoption of animals
- Collection and processing of fines and fees
- Answering questions regarding Division services
- Selling dog licenses
- Inputting data into the Division computer system

- Processing accounts payable and receivable
- Requisitioning frequently used items
- Processing personnel documents.

Workload

Phones

At Citygate's request, the Division kept track of phone calls for the month of May, 2007.

Service	Number	Information	Number	Total
Other	327	Other Agencies	167	494
Citizen Assists	269	License	134	403
Stray Animals	193	Stray Animals	112	305
Confined Animals	107	Lost Animal	104	211
Barking Dogs	70	Adoption	83	153
Dead Reports	48	Traps	63	111
Injured Animals	31	Available Animals	56	87
Bite Reports	27	Found Animal	55	82
Quarantine Checks	15	Animal Placement	46	61
		Euthanize	19	19
Monthly Total	**1,087**		**839**	**1,926**
Yearly Total	**12,799**		**9,879**	**22,677**
Average Per Day	**35**		**27**	**62**

The Division is answering over 22,600 phone calls per year. Some of these are simple and take little time or expertise to answer. For example, some callers request the hours of operation or direction to the shelter. Others are more complex and require extensive knowledge of State law, County ordinances and Division operating policies and procedures. For example, a person may call in indicating that their dog bit a neighbor. The person answering the phone needs to have knowledge of State rabies laws relative to vaccination requirements and effective dates, requirements for quarantine, whether the dog can be quarantined at home or at the shelter, the length of the quarantine, fees that would be owed, etc. Some of these calls can take up to 15 minutes. The installation of a quality phone tree answering system could relieve the office staff of the need to answer routine questions and will provide more time for other more important tasks.

Counter Service

We also asked the Division personnel to keep track of people coming to the front counter for the same period. The Division dealt with 867 customers for the month.

Therefore, the Division is serving approximately 10,200 walk-in customers per year. As is the case with phone service, counter service time can very widely from directions to the kennels to the sale of an animal. The latter can take up to 15 minutes to complete, inclusive of time to fill out various forms, collect money, update computer records, explain return policy, animal characteristics, spay/neuter, vaccination and licensing requirements and issue receipts.

FIELD SERVICE

General Overview

As California's population increases and expands into areas once considered rural, the workload of animal control field personnel increases and changes. Animal control service requests are generated by citizen requests for service. Few agencies have the resources to engage in "unassigned patrols." In most large jurisdictions, animal control field staff moves from one call to the next with no time to take care of general housekeeping activities such as looking for loose dogs or picking up dead animals that are not first called into the agency. Many requests for service involve activities that citizens previously handled themselves or did not report. Barking dog calls, animal cruelty investigations, and calls involving human interaction with wildlife become more frequent and time consuming as citizens move into once rural areas.

In an effective and humane field services program, Animal Control Officers perform the following tasks:

- Enforce State laws and County ordinances and policies in the animal control agencies' service area
- Impound stray animals that are in violation of the State and local law
- Enforce State and local licensing provisions
- Issue court citations to owners of unlicensed dogs
- Investigate animal bites
- Quarantine biting animals
- Rescue animals in distress
- Euthanize injured animals in a humane manner
- Pick up and dispose of dead animals
- Protect the public from dangerous animals
- Educate the public relative to responsible pet ownership and safety
- Safely and humanely restrain aggressive animals
- Transport animals to animal shelters and veterinarians
- Enforce the agency's animal noise and nuisance ordinance
- Testify in court and before administrative bodies
- Assist in the training of new personnel
- Keep records and prepare oral and written reports of field activities.

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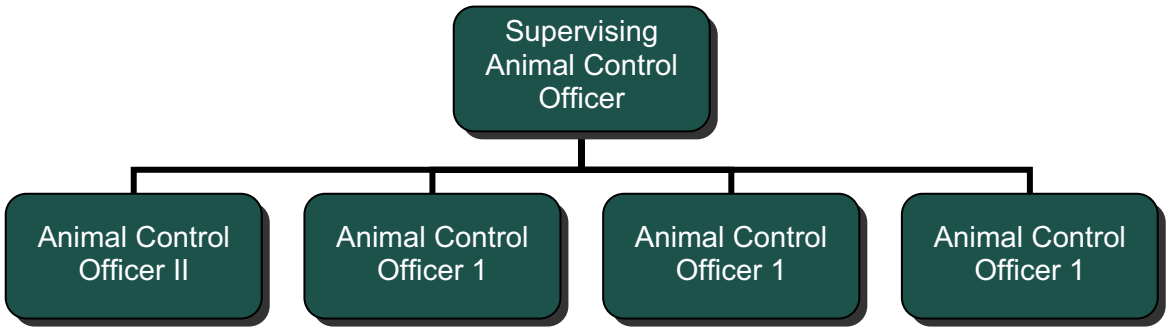
Service Area

Sutter County consists of 609 square miles and a population of 93,901. The Animal Control Division is responsible for the control, care and well-being of animals within the unincorporated area of the County and the cities of Yuba City and Live Oak.



Staffing

The Field Services section of the Division is organized as follows:



Deployment of Field Staff

Patrol Areas

Patrol areas have been designated to insure full County coverage and maximize Animal Control Officer staffing. These areas are defined as follows:

- Area 1 Yuba City limits north of Colusa Highway
- Area 2 Yuba City limits, south of Colusa Highway
- Area 3 County limits north of Colusa Highway
- Area 4 County limits, south of Colusa Highway.

The Supervising Animal Control Officer has the authority to adjust the boundaries of patrol areas as necessary, based upon staffing.

The reality is that with the reduced staffing in the Division and the necessity to provide coverage 365 days a year, the County is split north and south along the Colusa Highway **with two Animal Control Officers covering the entire County and at times one Officer covering the entire County.**

Standby Patrol

The Animal Control Department is required to have an Officer available for emergency call-outs 24 hours a day, seven days a week. To comply with this, the Supervising Animal Control Officer assigns one Officer to be on "standby" from the end of each regular work day until the start of the following work day.

Officer Scheduling

Currently there are only two (2) fully trained Animal Control Officers in the Sutter County Animal Control Division. One of these Officers works Monday through Friday and is on "stand-by" for after hour calls Monday, Tuesday and Thursday. The other Officer works Thursday through Monday and is on "stand-by" Wednesday, Friday, Saturday and Sunday. This Officer

comes in from the field on Saturday and Sunday at 3:00 to wait on people at the front counter. This schedule is rotated every two (2) months. This means that on Saturday, Sunday, Tuesday and Wednesday there is just one Officer to cover all of the calls in the entire County. It will be at least six (6) months before the newly hired Officer is able to work a shift and provide some relief to the short staffing situation.

The "stand-by" Officer receives $1.25 for each hour they are on stand-by and are paid at time and one-half with a minimum of 2 hours for time spent responding to a call-out. Currently, the Supervising Animal Control Officer is covering "stand-by" on Monday, Tuesday and Thursday in order to provide her staff some relief from the short staffing.

Call Priority[2]

To ensure that the services provided by Animal Control are handled expeditiously, thoroughly, and with the appropriate resources, assignments are handled in priority order. There are three levels of priority:

Priority One Calls

Calls which involve an immediate threat to public health and or safety or serious injury or extreme suffering to an animal are considered to be priority one calls and are to be responded to within a matter of minutes (generally less than 15 minutes during regular hours and 45 minutes for after hours emergency calls). Examples of these types of calls include (but are not limited to):

- Injured animals
- Animals creating a hazard
- Vicious animals
- Live animals on highways or freeways
- Livestock on roadways.

Priority Two Calls

Calls that do not present an immediate threat to the health and or safety of persons, or involve injured or suffering animals, but still require a response within a reasonable timeframe (generally within an hour during regular business hours). Examples of these types of calls might include:

- Distressed animals
- Confined stray animals, rabies investigation follow-up (requested by Environmental Health)
- Female animals in season
- Deceased animals
- Possible cruelty to animals (Calif. Penal Code 597).

[2] Sutter County Animal Control Division Policy and Procedures Manual

Priority Three Calls

Priority three calls are defined as calls which are routine in nature. Although priority three calls are handled after priority one and two calls have been taken care of, they should not be subject to unnecessary delay. Response should generally be within hours of notification. Examples of these types of calls might include:

- Leash law violations
- Barking dog complaints
- Public relations calls and appearances.

Determining Field Staffing Needs

"A 1997 study conducted by the National Animal Control Association (NACA) found the average ratio of field animal control officers to citizens was one officer for every 16,000 to 18,000 persons. To determine optimum field staffing, local governments must factor in population, the size of the service area, and enforcement responsibilities. NACA also recommends that local government's base staffing levels on a call-for-service model: the government should analyze service calls and measure the demand for animal control services."[3]

National Animal Control Association Recommendations

Determining the optimum or desirable number of Animal Control Officers has remained an elusive goal for the profession. Several professional groups have tried to develop a model for justifying the desired level of officers. In some cases, this model appeals to budget officials and executives because of the apparent scientific approach to this issue. Results, however, have been mixed. In some cites, the model has done nothing more than measure the volume of work and provides a basis for deploying personnel. **The service spectrum in each Animal Control department varies according to the management style and philosophy of the director, polices of government and community expectations**. Where cities or agencies only count the calls for service within a community to determine optimum staffing, officer safety, citizen safety and major types of service delivery are not factored into overall staffing needs. In Animal Control work, enforcement responsibilities, population density and diversity, along with coverage area need also be a consideration for future planning. Staffing which is determined solely on the ability "to respond quickly to a call" does not address a basic Animal Control responsibility -- protection of people and animals. Policies, and in some instances, ordinances, affect staffing needs. In cases where officers can give warnings or educate violators to prevent future occurrences, the officer has spared an animal the distress of impoundment or reduced the possibility of further violations. Attendance in court by officers also affects availability. Although there is no universally accepted scientific methodology for determining the number of Animal Control Officers needed in a given jurisdiction, there are three models that are variously employed in Animal Control in determining an appropriate number of personnel.

- Some jurisdictions have attempted to evaluate the estimated growth in residential and business activity and predict the need for additional personnel.

[3] Animal Control Management, International City/County Management Association, 2001, P55

- The use of comparative data from the National Animal Control Association Data Survey factoring in population, square miles served, and whenever possible, enforcement responsibilities.
- The "calls for service" model is used primarily as a workload indicator because the data represents a recognizable and readily measurable demand for Animal Control service. Comparing the number of calls for service from one jurisdiction to another, however, can be very tenuous, because of the variety of calls and the response to Animal Control efforts to encourage citizens to call on any perceived problem.

Determining the number of officers requires an assessment of citizen calls, officer-initiated calls, citations, written warnings, assisting outside agencies, the need for safety and security, a flexible beat structure, time spent on investigations, preventive patrol time and the specific types of service that the public wants and expects.

The basic elements of the "calls for service" model are as follows:

- Each 8-hour Animal Control position requires 2,920 hours to fill one shift for 365 days.
- Officer availability for staffing is determined by deducting from 2,080 hours (the maximum for one year), the time required for vacation, sick leave, court time, "flex" days and training. In using this model, the average number of hours dedicated to Animal Control for Animal Control will be 1,832 hours (a standardized ratio), or 229 days.
- Determine the relief factor (relating to the number of officers needed to fill one position for the entire year) by dividing the number of days of work required for each beat area in a year (365) by the average number of days officers actually work in a year. In using this ratio, the 365 divided by 229 = 1.60 officers per day, per beat area.

In most situations, the National Animal Control Association utilizes the "calls for service" model in determining an appropriate number of personnel."[4]

Sutter County Staffing

As indicated earlier in this section, Sutter County is allocated four (4) animal control field personnel. However, a high number of vacancies has left the Division with between two (2) and three (3) officers to deploy in the field over the last five (5) years.

The Division provides field service to approximately 94,000 citizens and encompasses approximately 600 square miles. The table below indicates the population and land area responsibilities of Officers under various staffing scenarios. This analysis does not take into account days off for weekends, holidays, vacation, illness, FMLA, or workers compensation injuries. Current staffing levels do not provide adequate coverage for the 24 hours per day coverage by field staff.

[4] National Animal Control Association Web Site: http://www.nacanet.org/staffing.html

Officers	Population 94,000 Population Per Officer	Square Miles 600 Square Miles Per Officer
1	94,000	600
2	47,000	300
3	31,333	200
4	23,500	150

Calls are generated by people and response time is dictated by geography and traffic density. As call volumes increase and the distance between calls increases, the time to respond also increases.

Recommended Staffing

Based on the average staffing model of between 16,000 and 18,000 citizens per Officer, (recommended by the National Animal Control Association), the Division should employ between 5 and 6 Animal Control Officers.

Based on the "Calls for Service" model and using the standard multiplier of 1.6 Officers per field area, the Division should employ between six (6) and seven (7) i.e. 1.6 Officers per field area (1.6x4=6.4).

Animal Control Officer Responsibilities

The public's view of Animal Control Officers remains, for the most part, negative. Perception of these personnel is often that of the "Dog Catcher." This connotation unfairly dismisses the knowledge and skills necessary to execute effectively the many and varied tasks these individuals are called upon to perform on a daily basis. Many of these tasks are potentially dangerous and must be accomplished in adverse weather conditions and under emotionally stressful circumstances.

As stated earlier in Section II of this report, Animal Control Officers are not peace officers, but they may exercise the powers of arrest of a peace officer, as specified in California Penal Code Section 836. They also have the power to serve warrants, as specified in California Penal Code Sections 1523 and 1530, during the course and within the scope of their employment, if those officers successfully complete a training course in the exercise of those powers pursuant to California Penal Code Section 832 (Reference Penal Code Section 830.9). Animal Control Officers are tasked with enforcing State laws and the County Animal Control Ordinance within the unincorporated area of the County and within those cities contracting for animal control service. The following is a table of code sections that officers are responsible for enforcing and/or with which they must be familiar:

California Code	Number of Sections
Regulations	10
Business and Professions	3
Civil	6
Civil Procedures	1
Corporations	1
Fish and Game	27
Food and Agriculture	104
Government	2
Health and Safety	11
Penal	65
Public Resources	2
Public Utilities	1
Vehicle	5
Total Code Sections	238

Sutter County Animal Control Officers perform the following tasks:

- Drive an animal control vehicle in patrolling assigned area to investigate and evaluate complaints concerning animals
- Explain and enforce State laws and County ordinances relating to the care and control of animals
- Attend and disseminate animal care information and ordinances through meetings, school programs, and/or concerned groups
- Investigate/seek prosecution for cruelty complaints, impound animals and seek veterinary treatment, as needed
- Submit cases to District Attorney for prosecution of violations
- Issue warning notices and citations for violations of laws and ordinances
- Provide testimony in court
- Ensure that dogs have been properly licensed and vaccinated
- Locate, apprehend, and impound domestic animals and livestock that include, but are not limited to, those that are stray, sick, injured, abandoned, dangerous, and/or rabid, etc.
- Provide 24/7 emergency coverage for animal control
- Interact with law enforcement agencies for impound and care of animals regarding owner arrests, deaths, and/or accidents

- Investigate and ensure strict animal isolation requirements are maintained during animal bite quarantines
- Inspect commercial kennels for licensing and care of animals
- Conduct and make recommendations regarding dangerous and vicious dog proceedings
- Respond to possible hit-by-vehicle and injured animal calls
- Convey sick and/or injured animals without owners to veterinarian for emergency care
- Work with other agencies, including law enforcement agencies, regarding enforcing animal control ordinances and laws
- Respond for evacuation of animals during disaster situations including, but not limited to, impound, identification, removal, transport, and housing
- Recovery process after disaster response.

The Sutter County Animal Control Division is performing its responsibilities in a humane manner and in accordance with applicable state regulations and laws.

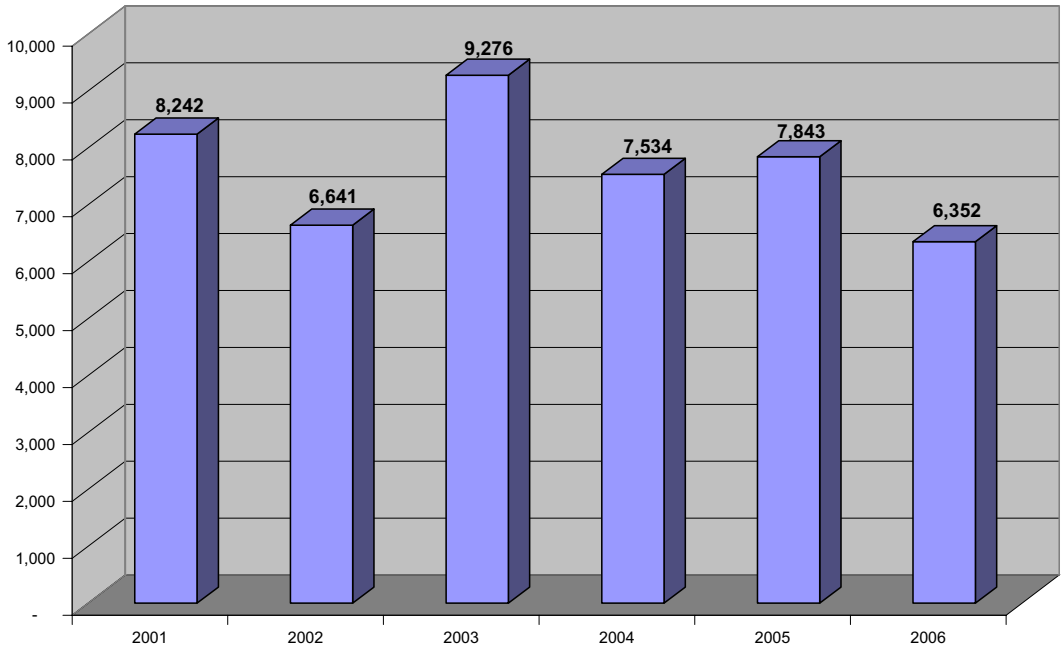
Field Service Workload[5]

	2001	2002	2003	2004	2005	2006
Sutter County	3,490	2,283	2,937	2,444	2,167	1,630
Yuba City	4,266	4,002	5,769	4,553	5,181	4,332
Live Oak	486	356	570	537	495	390
Total	8,242	6,641	9,276	7,534	7,843	6,352
Sutter County	42%	34%	32%	32%	28%	26%
Yuba City	52%	60%	62%	60%	66%	68%
Live Oak	6%	5%	6%	7%	6%	6%
Total	100%	100%	100%	100%	100%	100%

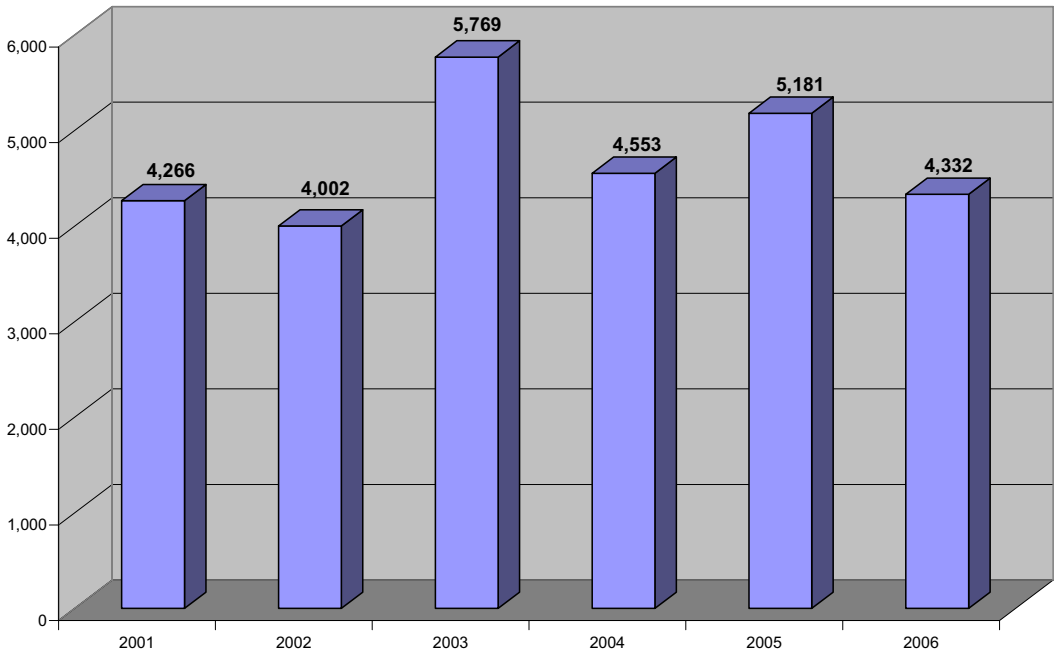
[5] Sutter County 2001-2006 Animal Services Activity Reports

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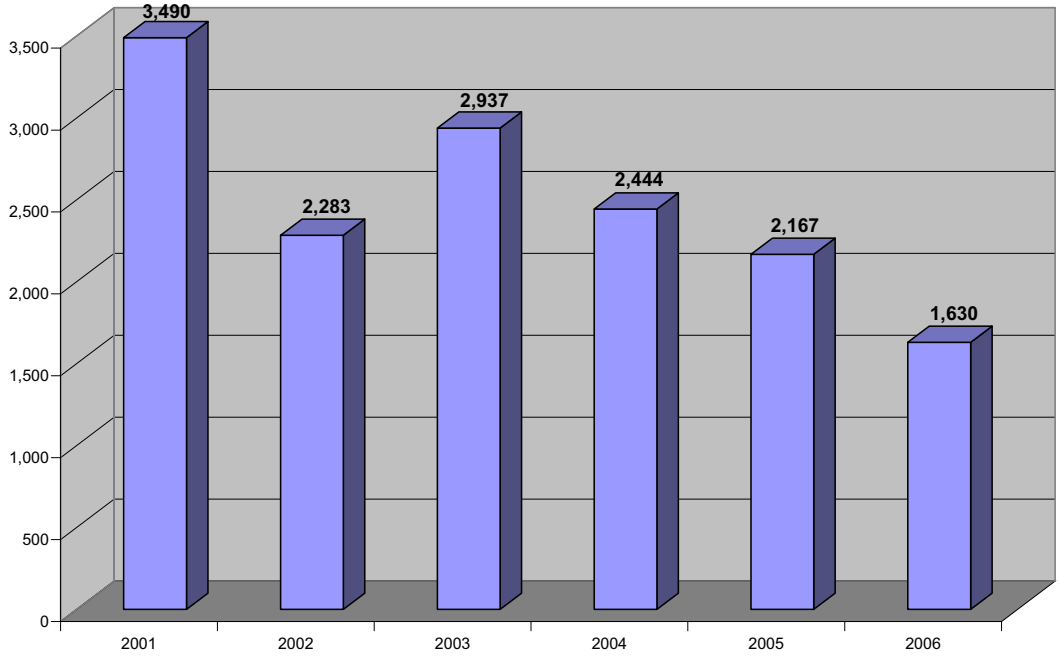
TOTAL SUTTER COUNTY FIELD ACTIVITIES



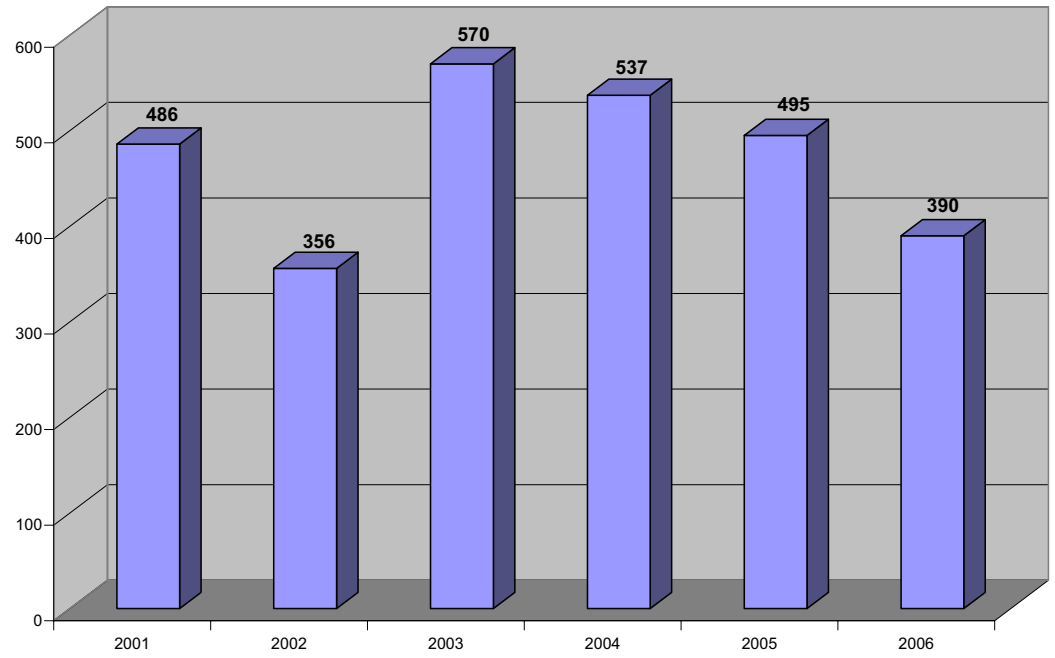
2006 YUBA CITY FIELD ACTIVITIES



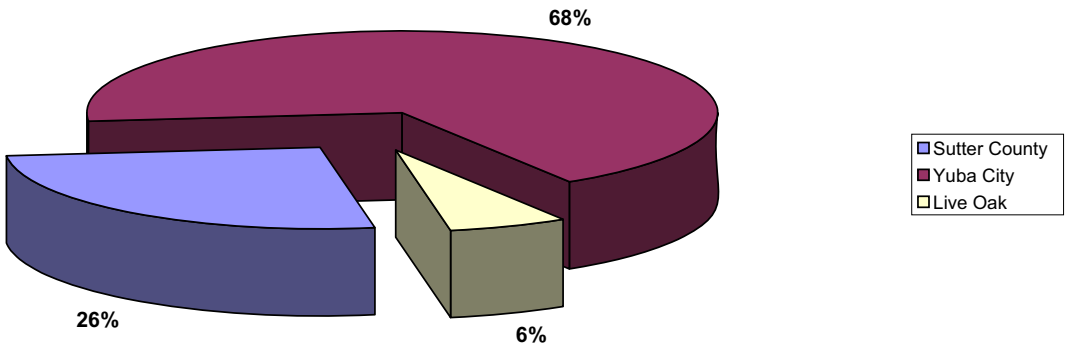
2006 COUNTY FIELD ACTIVITIES



2006 LIVE OAK FIELD ACTIVITIES



2006 FIELD ACTIVITIES BY AGENCY



In calendar year 2006, the Division operated with between one and two Animal Control Officer vacancies. On many days there was only one Officer to cover all of the calls in the County. Therefore, Officers handled between 9 and 18 calls per day. This is a heavy workload given the large geographic area of Sutter County and the complexity of many of these calls. The Supervising Animal Control Officer spent approximately 15 to 20 percent of her time in the field assisting her staff.

Cruelty Investigations

Investigations of animal cruelty can be time consuming and often times involve Animal Control Officers in very emotional situations. The public can respond negatively to animal control actions or inactions when the well being of an animal is involved. This can be the result of: genuine but at times emotional responses to stories in the press that are not complete in their detail; a misunderstanding of what constitutes animal cruelty; and lack of understanding relative to the constitutional rights of animal owners. In short, Animal Control Officers must obey the law and cannot take a persons property, i.e. their animal, without due process. They may not enter the property of a person without just cause, for example, when an animal is in imminent danger or where lack of action would result in the animal's death or injury. To successfully prosecute a case, the District Attorney will expect and the courts will require that all applicable laws are obeyed and the rights of the alleged perpetrator have been respected. The District Attorney's staff has expressed satisfaction relative to the quality of the animal cruelty investigations conducted by Animal Control Division personnel that have been referred to the Office of the District Attorney. They indicate that the staff is professional, have provided quality testimony in court and have been cognizant of probable cause and search and seizure issues.

Rabies Control

Animal bite reports, bite investigations, capture and quarantine of biting animals and rabies testing are carried out in accordance with State law and common animal control practice.

Vehicles

The Animal Control Division is allocated the following vehicles:

Vehicle	Year	Mileage
Ford F150	2002	79,534
Ford F150	2002	95,517
Ford F150	2002	37,735
Chevy S10	2003	79,272
Dodge Dakota	2004	36,226

Vehicle usage averages approximately 15,000 miles per year. Usage can be expected to increase if Animal Control Officer staffing is increased.

A standard animal control vehicle and assigned equipment would be similar to the following.



Sutter County has equipped the Animal Services Division with pick-up trucks that feature an open bed with an attached cage:



This design is not ideal because of the following:

1. Animals are exposed to the elements.
2. Animals that are injured or in distress draw unwelcome attention to the animal control program and staff.
3. Dead animals are exposed in the bed. This is not a good public relations visual.
4. The number of animals that can be carried is limited thus requiring frequent returns to the shelter.
5. Space for equipment is limited.
6. There is limited provision for assistance in loading large animals, e.g. winch, lift or ramp. (One of the animal control trucks has a wench.) This is a loss prevention issue. Back and limb injuries can be costly for the agency relative to workers' compensation rate increases and is especially burdensome for a small work unit because of staff reductions and increased workload because of extended time off.



The animal Control Division does not have a four wheel drive vehicle. This should be considered the next time a vehicle needs to be replaced. Some calls require the capability to access places that are not adjacent to a paved road.

Radio Dispatch

The Division provides its own dispatch service 8:00 AM to 5:00 PM Monday through Friday and 3:00 PM to 5:00 PM Saturday and Sunday. If a citizen calls Animal Control during normal business hours Monday through Friday, an Animal Control clerical employee answers the phone and takes down required information and passes this information (e.g. location, nature of the call, name of the person, etc.) to the Animal Control Officer utilizing a Nextel walky-talky. After hours and on holidays callers are directed by recording to contact the Sheriff's Office. The Sheriff's Office dispatcher then contacts the Animal Control Officer.

Up until approximately four (4) years ago the Division shared a channel with Public Works. The channel was often busy, tied up with Public Works radio traffic and there are numerous dead spots throughout the County. The Division then converted to the Nextel system. It worked well at first and allowed the Officer to be in contact with anyone else from anywhere. They could use the direct connect walkie-talkie feature to make calls from inside or outside the vehicle to vets, sheriff, police, the office etc. However, the Officers are experiencing increasing problems relative to coverage with the Nextel system.

Citygate believes that the radio system should be re-evaluated for safety reasons. The Nextels have limited coverage and reception is often of poor quality. Animal Control Officers work alone and there needs to be a more reliable communications system in place to ensure that they can reliably summon help if needed. The Nextels could be utilized for Officer-to-Officer communication and backup. The Sheriff's Office would be willing to enter into discussions relative to this matter and are receptive to working with the Community Services Department to find a solution as long as a change would not compromise their communications system or significantly increase their workload

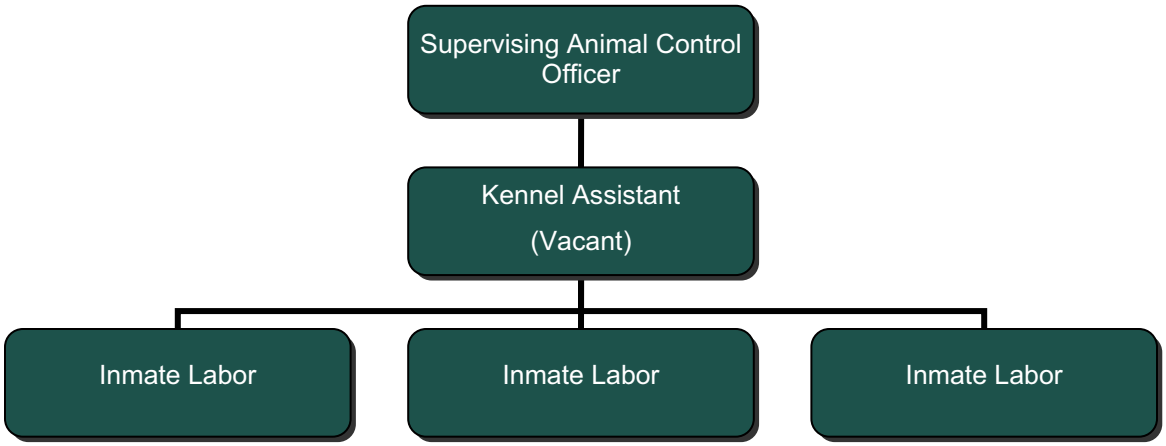
In a best practices model all calls would be recorded by the Sheriff's Department, and all calls would be logged by the Animal Control Division's dispatcher utilizing the Chameleon software system. If an officer does not go back on the air in a reasonable amount of time, help can be summoned to check on the safety of the officer. Nextel usage compromises these safeguards. Recording calls is important if the need arises to investigate citizen complaints and to verify the actual time between when an officer goes off the air and then is back in service. The need to review the tapes is infrequent but at times necessary.

SHELTER SERVICE

Deficiencies in shelter management and animal care by some shelters were the primary reason the Hayden Law (SB 1785) was passed and are still the primary cause of citizen dissatisfaction with government animal control programs. Citygate has had the opportunity to visit many animal shelters. It may not be welcome news but will probably not come as a surprise to hear that the Sutter County shelter is one of the worst that we have seen. We are referring to the buildings themselves. The deficiencies in the physical facilities when combined with staffing shortages and the use of inmate labor have led to compromised animal care and an abnormally large number of "in cage" deaths.

Staffing

The Shelter Services section of the Division is organized as follows:



Day-to-day supervision of Shelter work activities is provided by a Kennel Assistant. **This position has been vacant for three (3) years.** Kennel supervision has been accomplished by having the Supervising Animal Control Officer and all of the Animal Control Officers take part in supervising the trustees in the daily duties of cleaning the kennels. New trustees are given an introduction by an officer of what is expected of them, and how to perform the duties in the different areas of the kennels. The above noted employees observe the cleaning and operation of the kennel by the trustees.

Shelter Responsibilities:

- Take in dogs, cats, livestock and other animal types
- Keep track of these animals – i.e. inventory control
- Provide a sanitary condition in which the animals are to be kept
- Identify those animals in need of veterinary attention
- Provide required veterinary care
- Provide animal traps to the public for nuisance abatement

- Notify owners of their animal's impoundment in a timely manner
- Return animals to their owners and collect appropriate fines and fees
- Hold animals the legally required amount of time
- Maintain bite animals under strict quarantine isolation conditions
- Provide for the transport, processing, and delivery of animals for rabies testing between the veterinarians and the Health Department
- Identify those animals that are suitable for adoption Assist public and rescues with animal adoptions
- Humanely euthanize those animals that are not suitable for adoption or cannot be adopted
- Dispose of animal carcasses
- Issue, process, and maintain rabies vaccination and licensing database/ reports/collect fees
- Maintain Animal Control reports and records
- Provide for disaster response; removal of animals, housing, and recovery
- Provide for dissemination of excess feed and supplies to other animal control agencies and senior citizens
- Provide for housing, care and disposal of Yuba City and Live Oak animals.

Typical tasks relative to kennel activities in Sutter County include the following:

- Opening up the facilities in the morning
- Walk-through shelter and unlocking facility
- Check shelter and animals for anything out of the ordinary during walk-through
- Assign inmate workers to their duties
- Monitor work progress and supervision of workers
- Ensure all animals are fed appropriately
- Pick-up/deliver animals to Veterinarians
- Pick-up facilities supplies weekly
- Have office cleaned weekly or as needed
- Ensure quarantines and any lock-up animals are cleaned prior 9:30 AM
- Maintain strict/secure quarantine isolation conditions
- Ensure everything is ready for opening at 9:30 AM
- Ensure all animals are medicated prior to 9:30 AM and again in the PM

- Check health/temperament status on all animals and move questionable ones out of general population
- Check status of walk-in refrigerator: upkeep and cleanliness
- Keep track of animals and daily inventory
- Book-in incoming (over-the-counter) animals to the shelter
- Process incoming animals: Check for owner I.D., microchips, collar, place in pen
- As needed: treat and/or groom animals with exterior pests
- Place animal information or correct animal information on card
- Notify owners or check appropriate microchip agency if detected in animal
- Supervision of inmates throughout day
- Identify and pull cards for euthanasia candidates
- Check animals against lost and found list
- Assist with euthanasia, as needed
- Assist public and/or facilitate adoptions of animals
- Maintain cleanliness throughout the day
- Maintain facility until closing
- Closing and lock-up of shelter.

The Division utilizes the services of three (3) inmates from the County jail to perform basic shelter tasks such as:

- Clean/ disinfect each cage and pen
- Assist with inventory of animals
- Clean/disinfect food bowls, waterers, sleeping benches, and shelter in general
- Assist with feeding the animals
- Unloading vehicles of supplies
- Assist shelter officer as directed
- Mow lawns and general landscaping maintenance
- Maintain cleanliness of pens, corrals, cages, and shelter
- Maintain cleanliness of office
- As time allows, upon completion of duties and under direction, assist with socializing, grooming, and/or exercising animals
- Other duties as identified.

Determining Shelter Staffing Needs

The number of personnel needed to staff an animal shelter is dependent on the following variables:

- The physical size of the facility
- The number of kennels
- The number of cat cages
- The number of animal intakes
- The number of owner returns
- The number of adoptions
- The number of animals euthanized
- The hours the shelter is open to the public
- The cleaning protocols adopted
- The frequency of standard and extraordinary cleaning
- The number of sick animals held
- The length of stray holding
- The length of adoption holding
- The availability of veterinary care (i.e. onsite or offsite)
- The availability of spay/neuter services (i.e. onsite or offsite)
- Are the other assigned duties not specific to a typical kennel (i.e. adoption counseling, lost and found assistance, clerical duties, etc.)?
- Does the shelter temperament test dogs prior to placing them up for adoption?
- The availability of a dedicated computer system.

National Animal Control Association[6]

POLICY STATEMENT

"The National Animal Control Association NACA recommends that each shelter and animal care facility be staffed each day with the appropriate number of kennel personnel to insure that every animal is properly cared for in a safe and humane manner and to maintain a safe working environment for employees.

BASIS FOR POLICY

"Caring for sheltered animals requires daily cleaning and sanitation to reduce the spread of disease, maintain the health of the shelter population and to maintain a clean and odor free facility. Shelters and animal care facilities must maintain an appropriate daily feeding schedule for each animal in its care and insure there is adequate staff and time to complete all the other

[6] NACA Web site: http://www.nacanet.org/kennelstaff.htm

duties and responsibilities of caring for sheltered animals including but not limited to laundry, dish washing, lost and found, stocking and inventory of supplies, janitorial, and supplemental waste removal throughout the day. It is the responsibility of every animal shelter and animal care facility to meet or exceed the minimum standards of animal care for all impounded animals by maintaining a staffing level that insures that the minimum animal care standards are adhered to on a daily basis without putting staff at risk of injury."

Cleaning

The most time consuming activity for animal care workers is cleaning. Animal enclosure cleaning generally requires removal of the animal from the space to be cleaned, cleaning and/or replacement of food and water containers, disinfection of the area, time to dry in dog kennels that are hosed, replacement of litter pans for cats, and cleaning or replacement of bedding. Additionally, for proper disease control, all areas of the animal shelter must be cleaned periodically.

The following is a list of areas that should be cleaned in an animal shelter:

- Office areas
- Main lobbies and hallways
- Dog runs including central walkways, walls, doors, gates, drains, food & water bowls
- Cat rooms including cages, floors, walls doorknobs, food, water, litter receptacles
- Quarantine areas
- Isolation areas
- Medical/surgical areas, including instruments and equipment
- Other animal areas, such as grooming, treatment rooms, intake rooms, visiting rooms, training areas
- Exercise yards or other outside animal areas
- Vehicles
- Carriers and transport cages
- Bedding
- Toys
- Tools, such as pooper scoopers and mops
- Ventilation and heating ducts
- Storage areas.

The time it takes to complete the above cleaning tasks is dependent on the frequency of occurrence, size of the facility, the number of rooms, the number of animals, and the distance between work areas.

An animal shelter operates 365 days per year. Although not all of the above tasks are performed each day, someone needs to be present daily. The productive hours (or days) per staff member

after vacation, holiday, and sick days are factored, is 1,800 hours (or 225 days) each year. Although this is considered the "norm" for some administrative positions, when caring for live animals it is unacceptable. The remaining 140 days must be staffed.

Therefore, 365 days of staffing are required. If staff member's productive days are 225, then 1.6 personnel are required to staff one position for one (1) shift for one (1) year. The National Animal Control Association developed the following formula for determining the number of staff needed in a shelter to feed and water the animals and clean the animal enclosures.

NACA formula for determining kennel staffing (feeding and cleaning only)[7]

Indicator	Value	Formula	Value	Indicator
Incoming Animals per Year[1]	**A**	÷ by 365 days =	**AA**	Incoming Animals per Day
Incoming Animals Per Day	**AA**	x B Day Average[2] Hold Period =	**BB**	Animals in Shelter per Day
Animals in Shelter per Day	**BB**	x 10 Minutes per[3] Animal =	**CC**	Number of Minutes Needed
Minutes Needed	**CC**	÷ 60 minutes =	**DD**	Number of Hours Needed
Number of Hours Needed	**DD**	÷ 3 hours =[4]	**EE**	Staff Needed per Day

Source: The Humane Society of the United States

1. The average total of live domestic animals received by your agency over a 3-5 year period.
2. Using your agency's average or minimum legal holding period in days (the number of days required by law to hold an impounded animal for possible redemption). Keep in mind that some animals may be held for a much shorter period; however, many animals may be held for a period exceeding your average.
3. This formula is based on a per-animal time of 7 minutes for cleaning and 3 minutes for feeding.
4. These 3 hours are solely for the performance of cleaning and feeding - allow further time in the day to perform routine maintenance such as laundry, dishes, lost and found checks, etc.

For Sutter County the formula provides the following guidance relative to shelter staffing:

Indicator	Value	Formula	Value	Indicator
Incoming Animals per Year[1]	**4500**	÷ by 365 days =	**12.33**	Incoming Animals per Day
Incoming Animals Per Day	**12.33**	x B Day Average[2] Hold Period =	**74**	Animals in Shelter per Day
Animals in Shelter per Day	**74**	x 10 Minutes per[3] Animal =	**740**	Number of Minutes Needed
Minutes Needed	**740**	÷ 60 minutes =	**12.33**	Number of Hours Needed
Number of Hours Needed	**12.33**	÷ 3 hours =[4]	**4.1**	Staff Needed per Day

[7] Ibid

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The above formula addresses staffing needed for feeding and cleaning of the kennels and cat cages and applies an arbitrary factor to estimate the time required for other shelter tasks.

Another way to estimate shelter staffing is to take into account all of the tasks performed at the Sutter County Shelter and the actual time needed to complete them.

Animal Shelters are 365 day a year operations. Not all tasks are performed every day. The analysis below averages the tasks over the entire year taking into account that some of them are only performed when the shelter is open to the public or during normal business hours and some are not performed everyday, e.g. euthanasia. This analysis is anecdotal and not the result of a time motion study. The analysis was reviewed by the Supervising Animal Control Officer.

Activity	Number of Enclosures or Areas	Minutes	Times Per Day	Total Minutes	Minutes Per Week	Minutes Per Year
Clean Dog Enclosures	16	10	2	320	2,240	116,480
Clean Cat Cages	30	10	2	600	4,200	218,400
Feed Animals		20	2	40	280	14,560
Clean Laundry Area		10	1	10	70	3,640
Clean Euthanasia Room		20	1	20	140	7,280
Clean Hallways etc.		20	1	20	140	7,280
Wait on Public		10	20	200	1,000	52,000
Take Animals to Veterinarian		50	0.2	10	50	2,600
Euthanize Animals*		10	4.2	42	294	15,288
Feed Livestock		15	1	15	105	5,460
Maintain Landscape		24	1	24	120	6,240
Animal Intake **		12	11	132	660	34,320
Return/Adopt Animal		10	4.7	47	235	12,220
Other		90	1	90	630	32,760
Total Minutes				1,570	10,164	528,528
Hours Per Year						8,809
Employees Needed @ 1,800 Hours Per Employee Per Year						4.89

* Includes: Taking animal from kennel or cage, verifying that animal is to be euthanized, filling syringe, euthanizing animal, making entry into Chameleon, placing animal in cooler.

** Includes: Receiving animal from the public, scanning for microchip, taking the animal's picture, downloading the picture to Chameleon, making computer entry, printing a kennel card, placing the animal in a kennel or cage and hanging the kennel card.

Given the above it would appear that one additional person is needed for the current shelter keeping in mind that **essential animal health related procedures are not currently being performed.** See Section VIII for a discussion of staffing and cost to operate a new shelter.

Inmate Labor

Sutter County is one of a few counties utilizing inmates to perform kenneling tasks. Other agencies include Solano, Yolo, Yuba, Sonoma, San Luis Obispo and some rural counties. Citygate contacted the above named agencies; none of these organizations is pleased with this arrangement. El Dorado County recently eliminated using inmates and Sonoma County is beginning to phase out the use of inmates. Utilizing inmates is a way to leverage resources and staff the kennels with sufficient bodies to perform basic kenneling functions. However, continuing to rely on this labor pool creates several significant problems for the Division. Basically, staff has to deal with a group of people who, generally, have no commitment to the Division, have a poor work ethic and possess little common sense.

The inmates are male, non-violent offenders. They are on-site during public hours, thus presenting a poor image for the Division. The Sheriff's office provides no one to supervise this work force. Therefore, they take an inordinate amount of shelter staff time to train and supervise. In the rare case where an inmate wants to learn and work, it is unlikely that person will be there for more than a few months. Citygate is hard pressed to come up with any redeeming modifier other than they are free labor. However, they are free only in a direct cost sense. The use of inmates institutionalizes turnover, which is terrible for any organization (much less a service organization), creates supervision problems, is bad for the morale of regular employees and creates a poor public image. Use of inmate labor also makes disease control more problematic because inmates will not have time to acquire the knowledge of disease symptoms and, in our judgment, will not exercise the diligence required to improve the disease prevention capabilities of the Division.

Our interviews with Sheriff's Office staff revealed that they are working on setting up a certified training program for inmates that would require the learning and application of shelter knowledge and abilities similar to an ROP program, only without the classroom component. Inmates successfully completing the program would receive a certificate noting the skills learned in the program. This program may prove beneficial compared to current practice. However, Animal Control Division personnel will be tasked with training at least three inmates per year, assuming those chosen for the program are serving a one-year sentence.

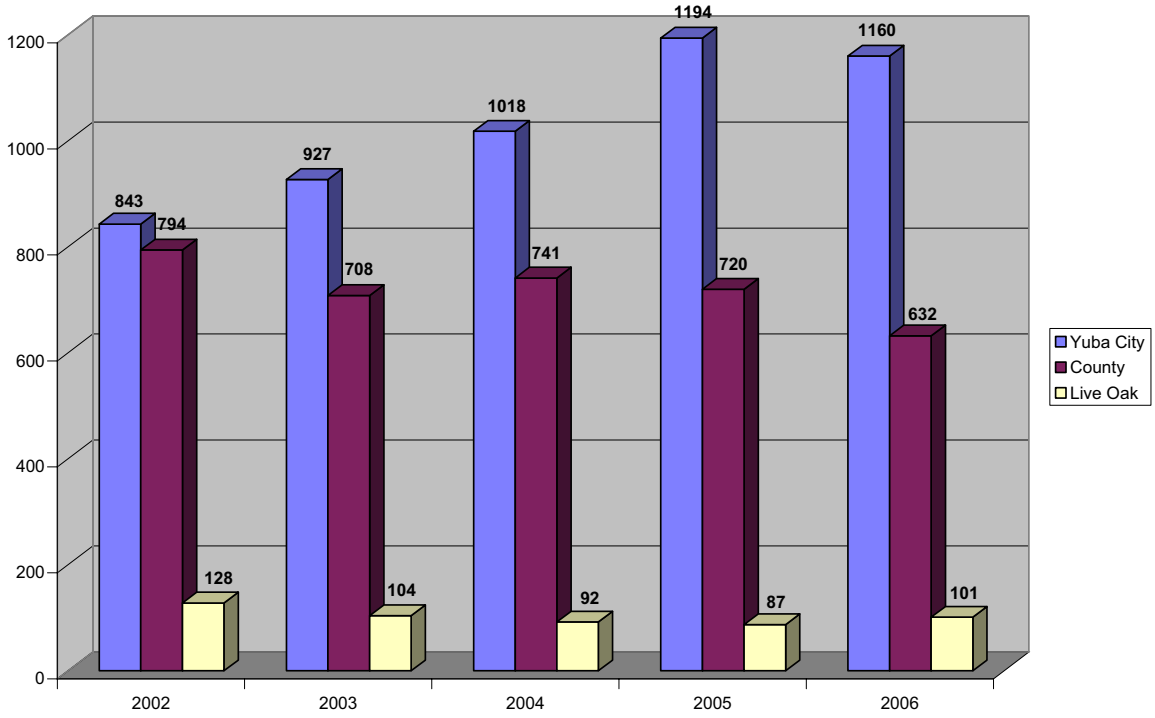
Best practices dictate a shelter work force that is schooled in safe animal handling, humane animal care, disease recognition and prevention and outstanding customer service. The use of inmates will make it difficult for the Division to accomplish any of these goals.

Shelter Statistics

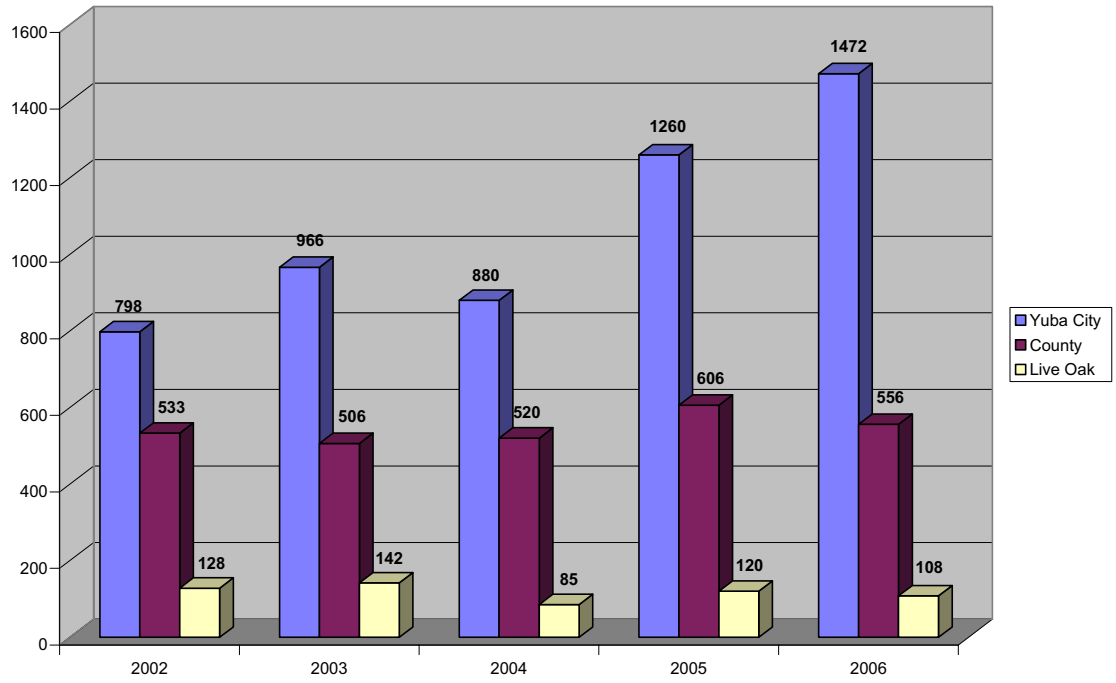
Animals Impounded

	2002	2003	2004	2005	2006
Dogs	1,765	1,739	1,957	2,001	1,893
Cats	1,479	1,614	1,485	1,986	2,138
Other	138	309	373	431	401
Total	3,382	3,662	3,815	4,418	4,432

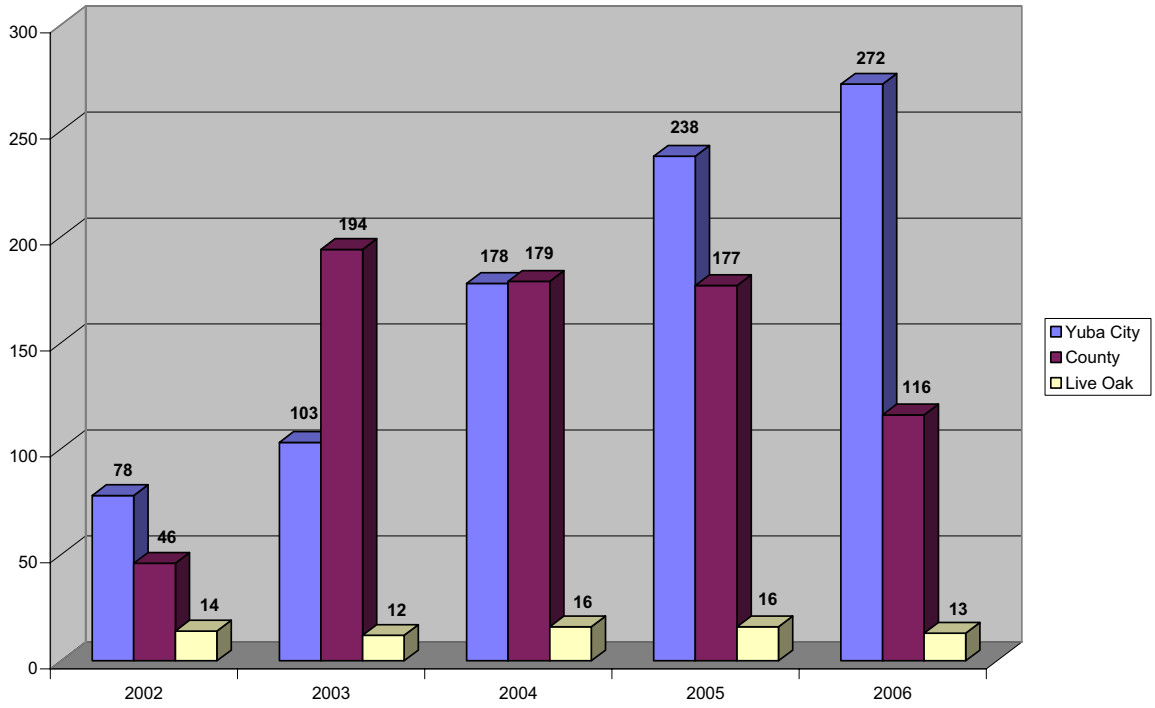
DOGS IMPOUNDED



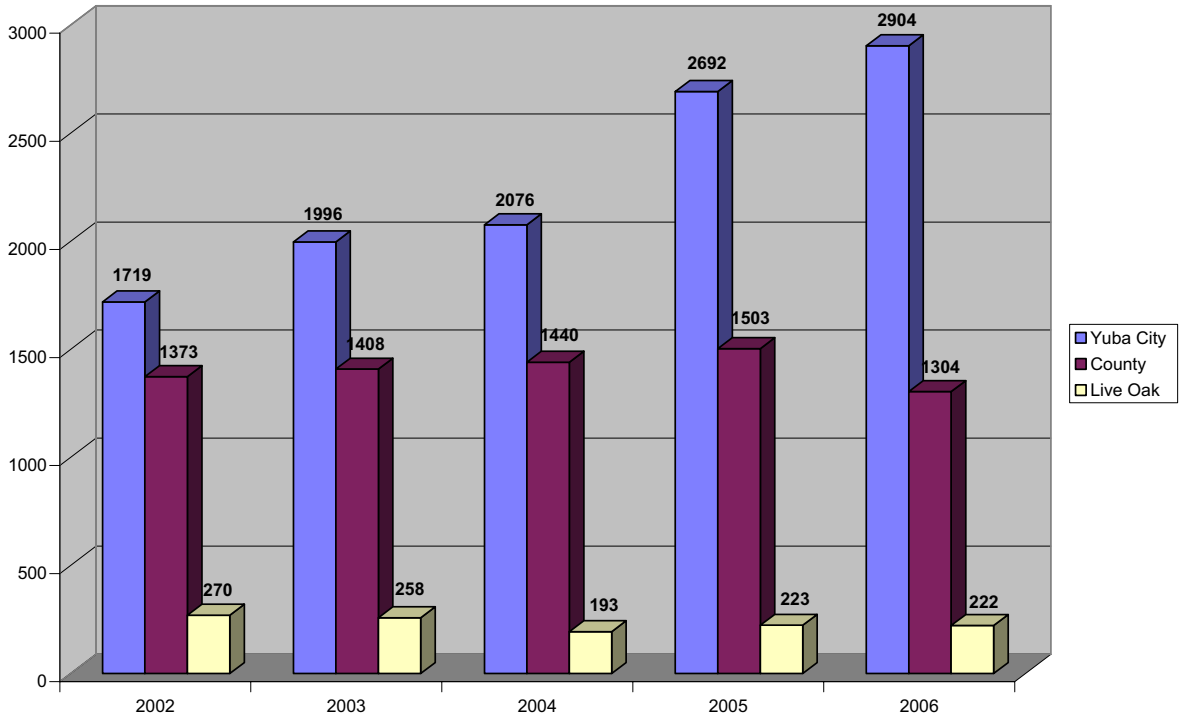
CATS IMPOUNDED



OTHER ANIMALS IMPOUNDED



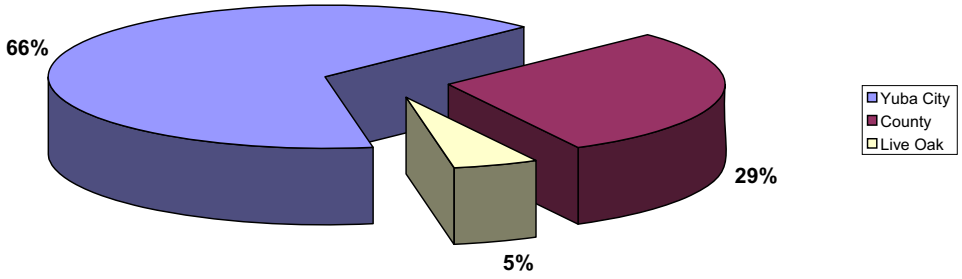
TOTAL ANIMALS IMPOUNDED



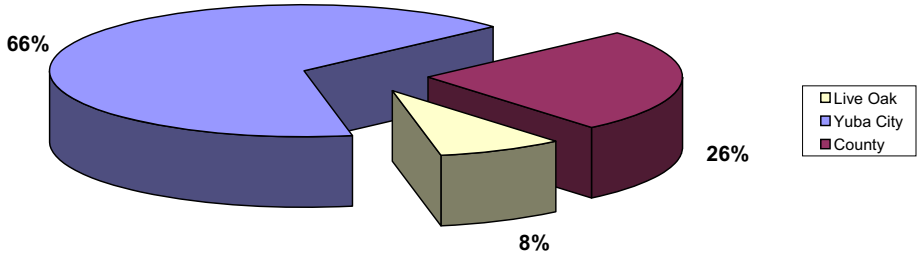
The numbers and the percentage of the total number of animals impounded from Yuba City have steadily increased over the last five years. The animals impounded distribution for 2006 now approximates the population of the agencies.

	2002	2003	2004	2005	2006
Yuba City	51%	55%	56%	61%	66%
County	41%	38%	39%	34%	29%
Live Oak	8%	7%	5%	5%	5%

ANIMALS IMPOUNDED BY AGENCY 2006



SUTTER COUNTY 2006 POPULATION DISTRIBUTION



Animal Intakes and Distributions 2002-2006

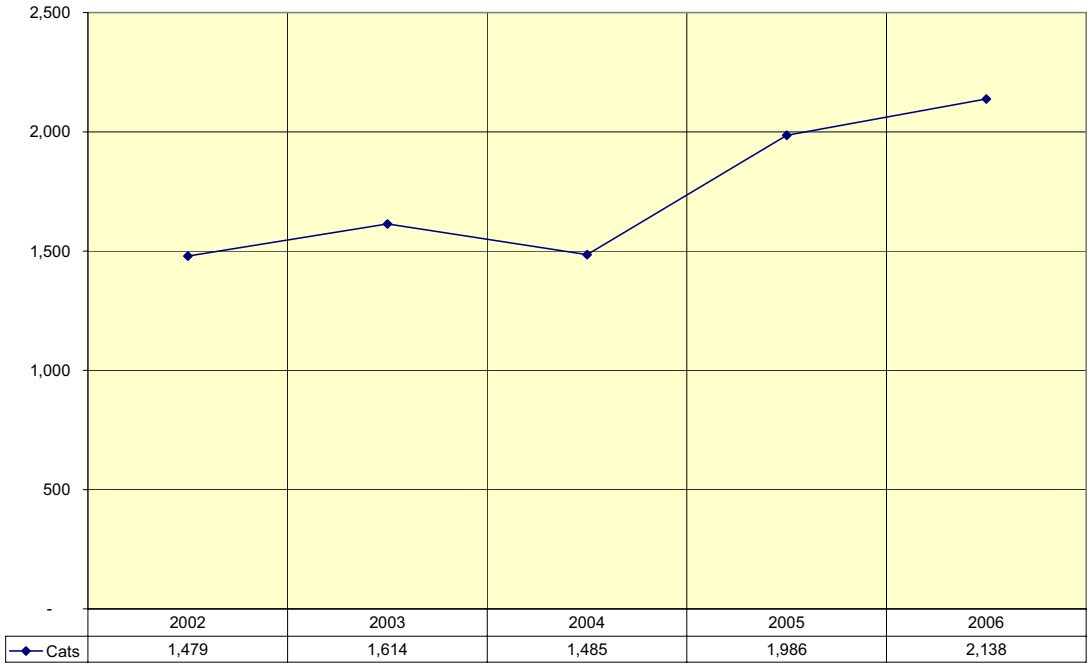
The following charts show changes in the number of dog and cat intakes, adoptions, redemptions and euthanasia from 2002-2006.

DOG INTAKES 2002-2006



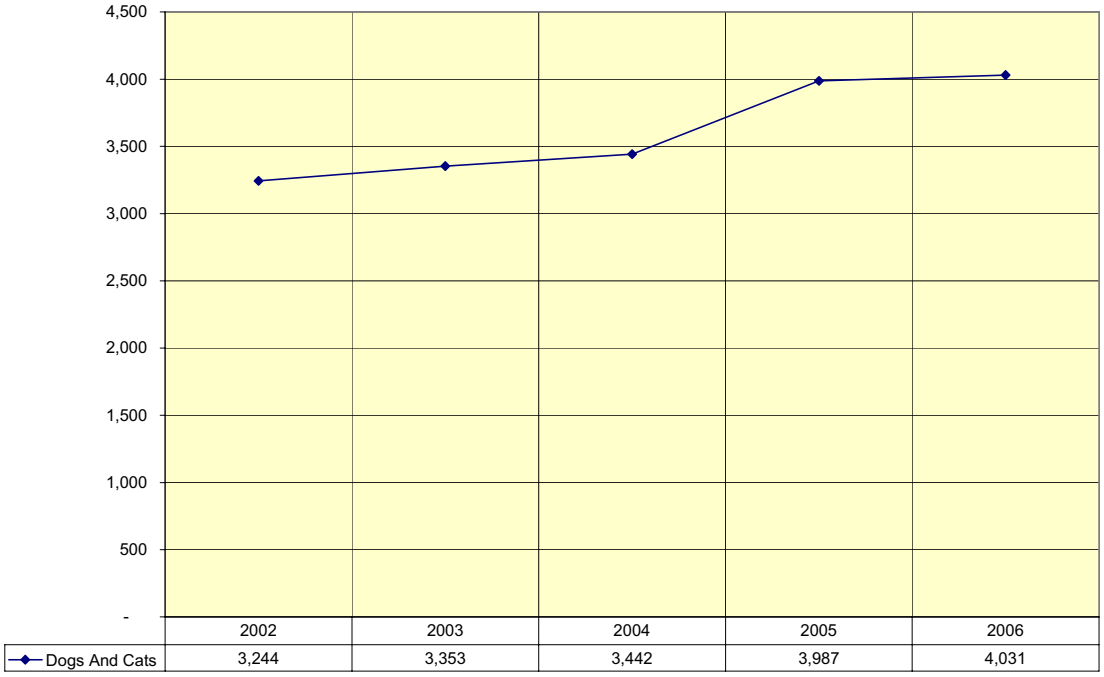
	2002	2003	2004	2005	2006
Dogs	1,765	1,739	1,957	2,001	1,893

CATS INTAKES 2002-2006



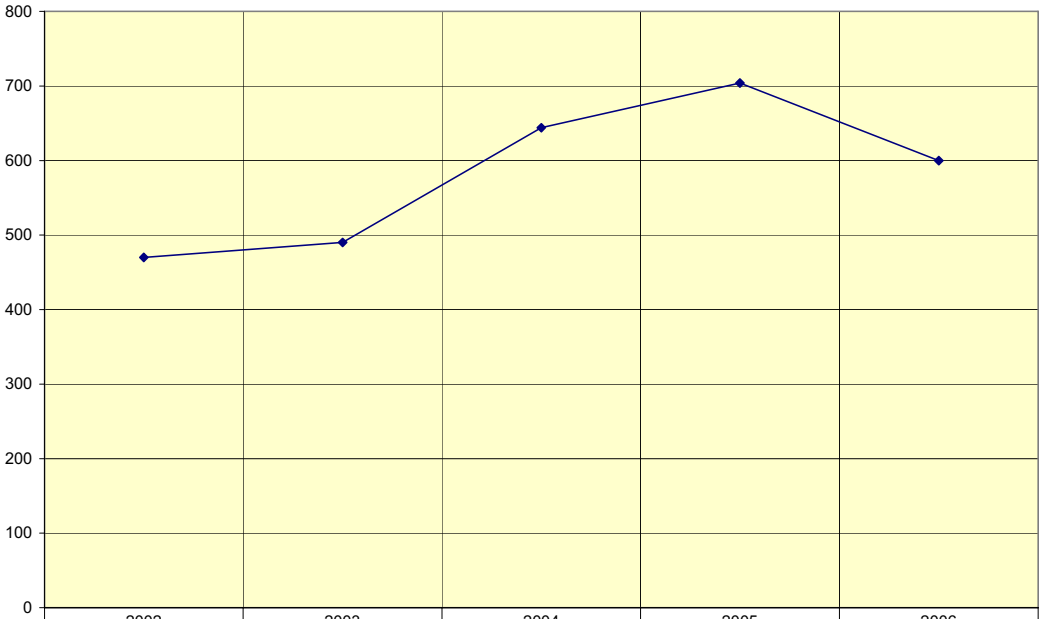
	2002	2003	2004	2005	2006
Cats	1,479	1,614	1,485	1,986	2,138

DOG AND CAT INTAKES 2002-2006



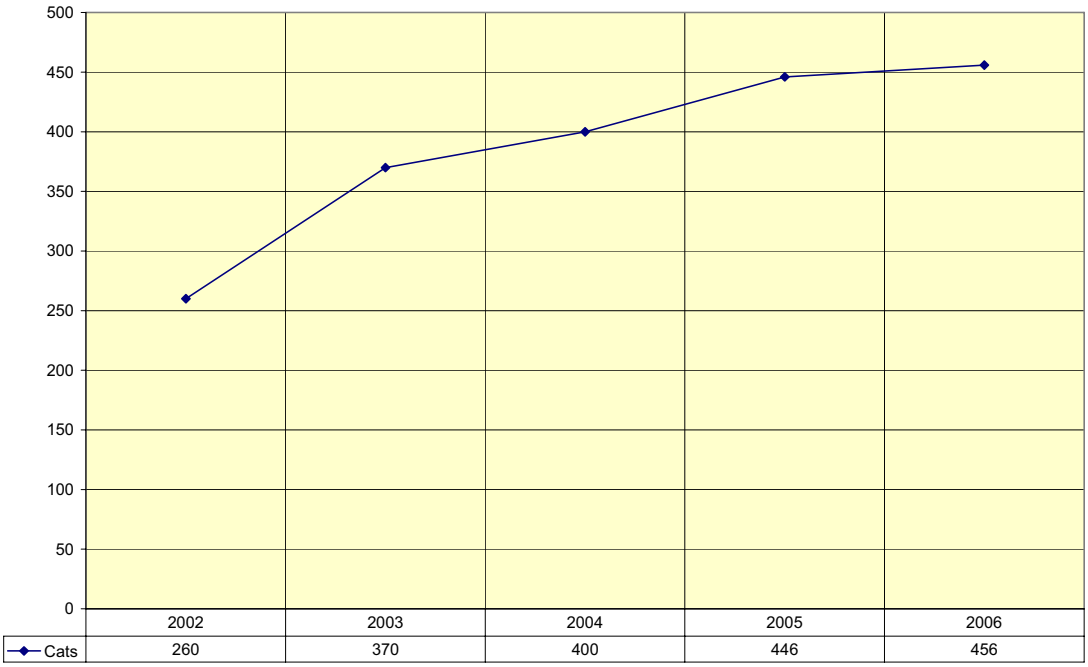
	2002	2003	2004	2005	2006
Dogs And Cats	3,244	3,353	3,442	3,987	4,031

DOGS ADOPTED 2002-2006

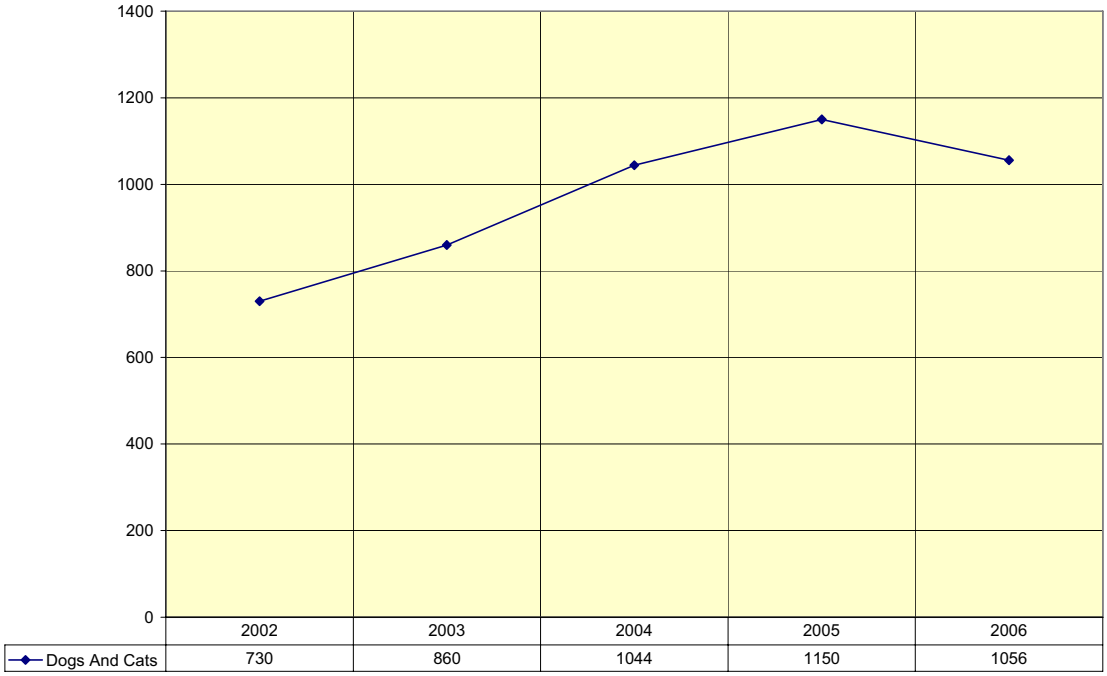


	2002	2003	2004	2005	2006
Dogs	470	490	644	704	600

CATS ADOPTED 2002-2006

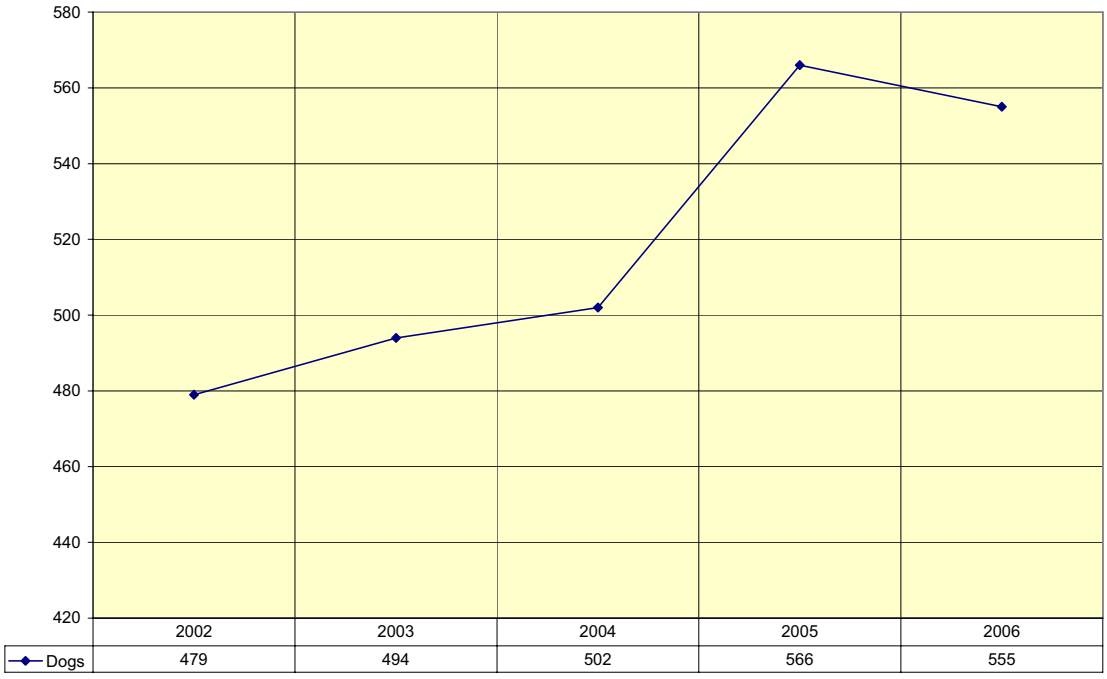


DOGS AND CATS ADOPTED 2002-2006



CITYGATE ASSOCIATES, LLC

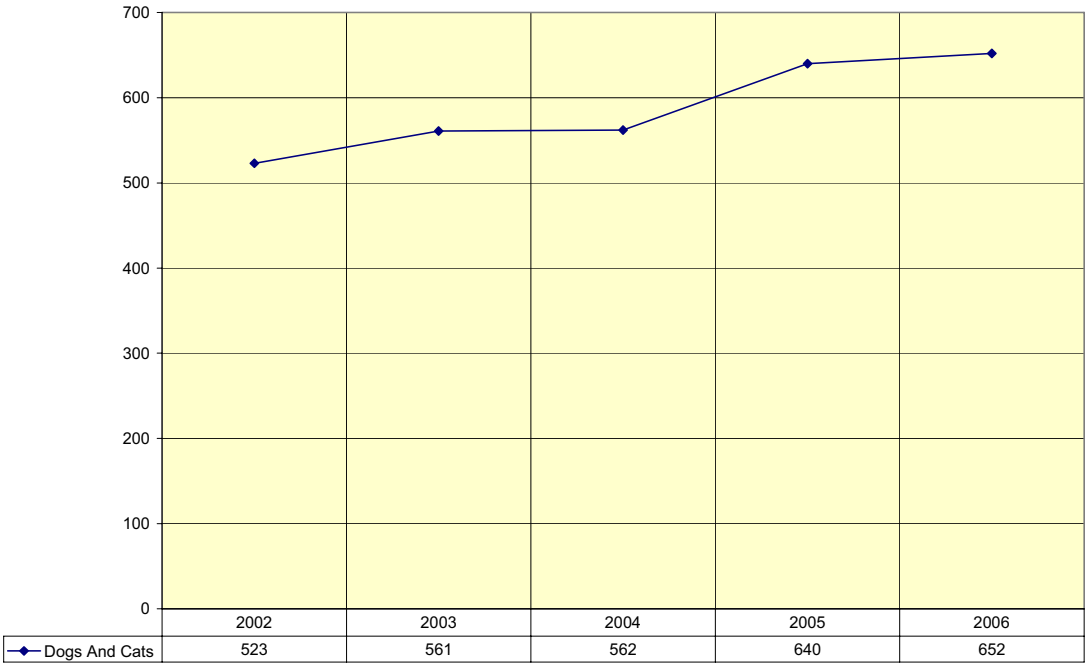
DOGS REDEEMED 2002-2006



CATS REDEEMED 2002-2006



DOGS AND CATS REDEEMED 2002-2006



	2002	2003	2004	2005	2006
Dogs And Cats	523	561	562	640	652

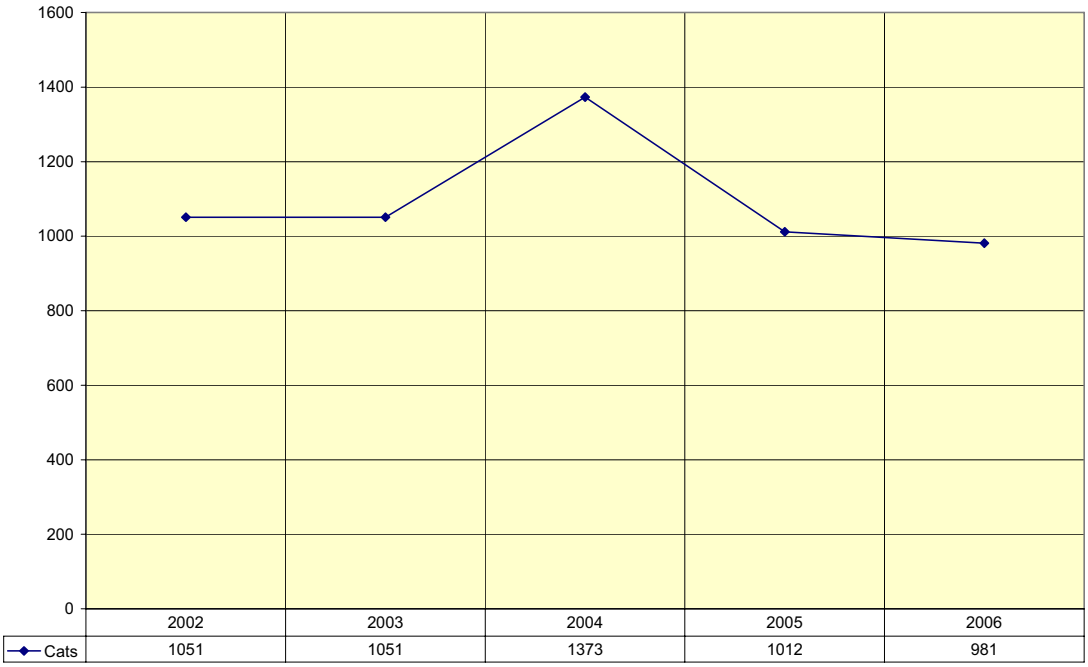
DOGS EUTHANIZED 2002-2006



	2002	2003	2004	2005	2006
Dogs	819	714	798	604	542

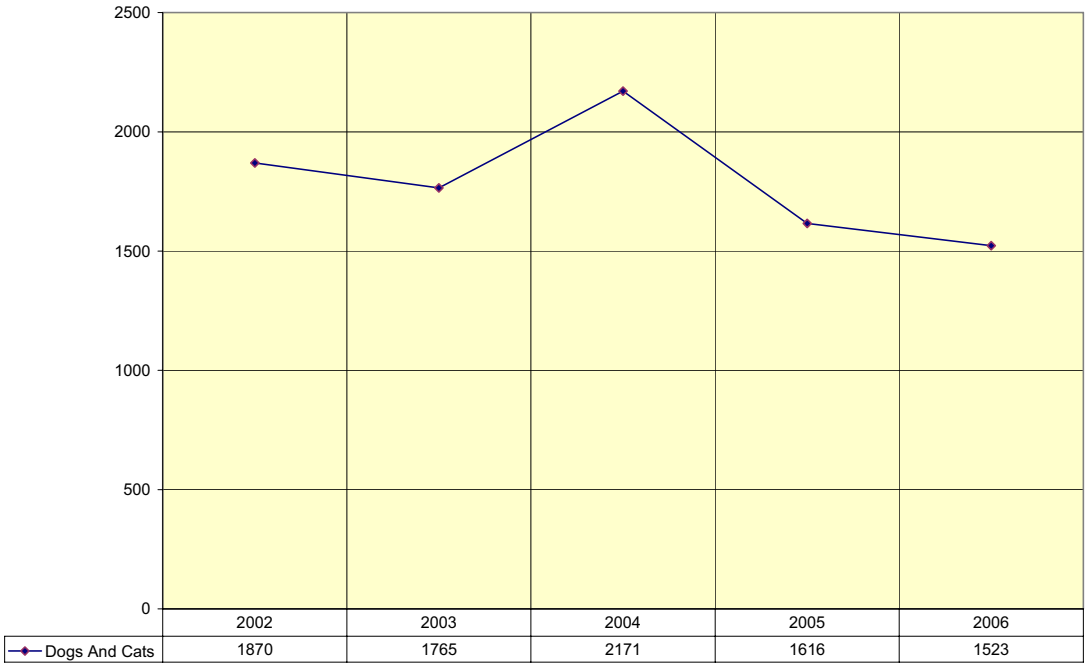
CITYGATE ASSOCIATES, LLC

CATS EUTHANIZED 2002-2006



	2002	2003	2004	2005	2006
Cats	1051	1051	1373	1012	981

DOGS AND CATS EUTHANIZED



	2002	2003	2004	2005	2006
Dogs And Cats	1870	1765	2171	1616	1523

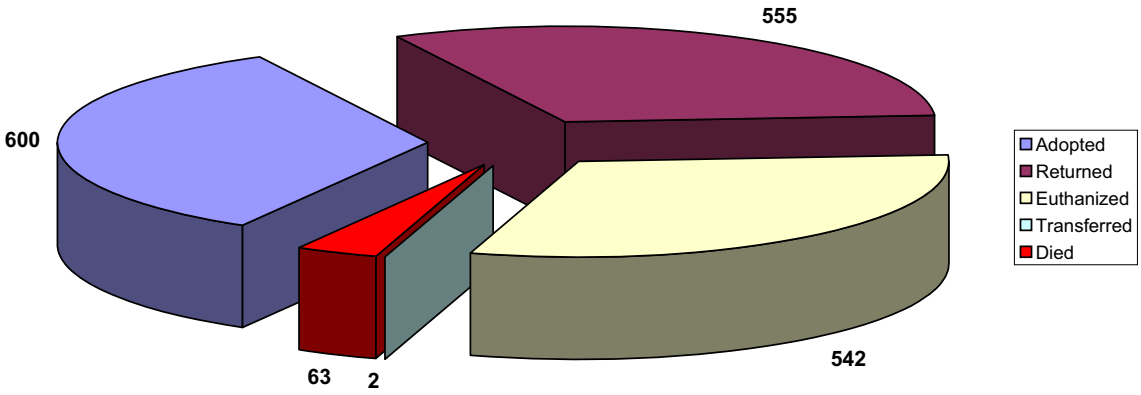
The trends over the last five (5) years have in general been favorable. Dog adoptions have increased by 28%, cats by 75% and dogs and cats combined by 45%. These increases are due in part to the cooperative relationships between the Division and non-profit rescue groups. Transfers to these groups are counted in the adoption totals. Dogs redeemed increased by 16%, cats by 120% and dogs and cats combined by 25%. Cat redemptions are a small part of the total. A low rate of cat redemptions is consistent with all other animal control agencies. Dogs euthanized decreased by 34%, cats by 9% and dogs and cats combined by 19%. This is in part a reflection of the increased number of animals adopted.

However, the number of animals entering the shelter has increased. Dog intakes have increased by 7%, cats by 45% and dogs and cats combined by 24%. Dog intakes increased by 12% between 2002 and 2005, from 1,765 to 2,001 and then decreased to 1,893 in 2006. During the first six months of 2007 dog intakes were 928, cats, 848 and dog and cats combined, 1,776. A straight line projection would result in 1,856 dogs, 1,696 cats and 3,552 dog and cat intakes for calendar 2007. Cat intakes will likely be higher than the straight line projection indicates because the largest number of cat intakes will occur in the summer. The trend in animal intakes will have a significant bearing on the size of the new animal shelter. This issue will be addressed in Section VIII Animal Shelter Replacement.

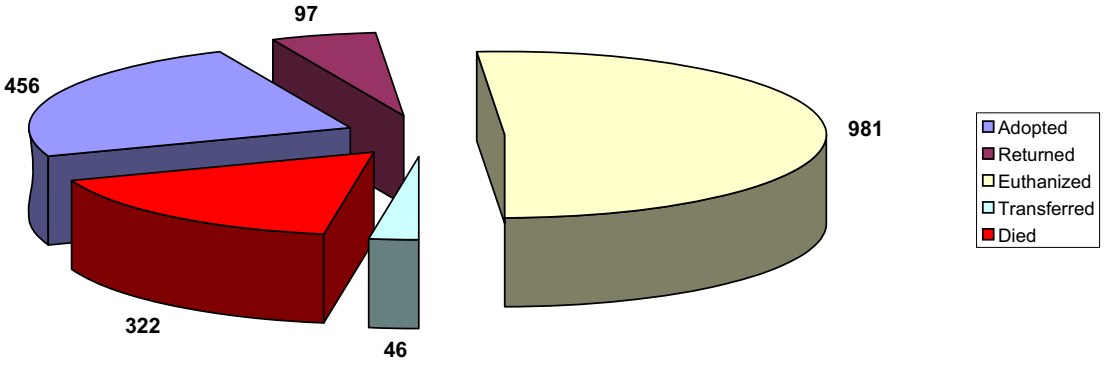
Animal Dispositions 2006

	Dogs	Cats	Total
Impounded	1,893	2,136	4,029
Adopted	600	456	1,056
Returned	555	97	652
Euthanized	542	981	1,523
Transferred	2	46	48
Escaped		10	10
Died	63	322	385
Total	1,762	1,912	3,674

DOG DISPOSITIONS 2006



CAT DISPOSITIONS 2006



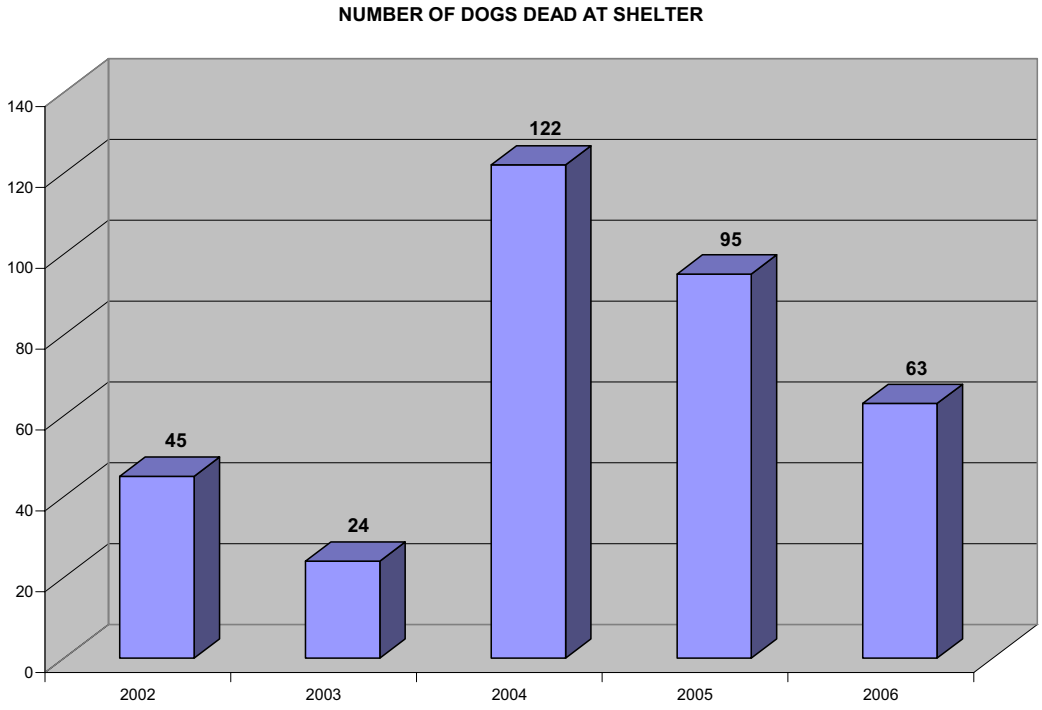
Shelter Medical Program

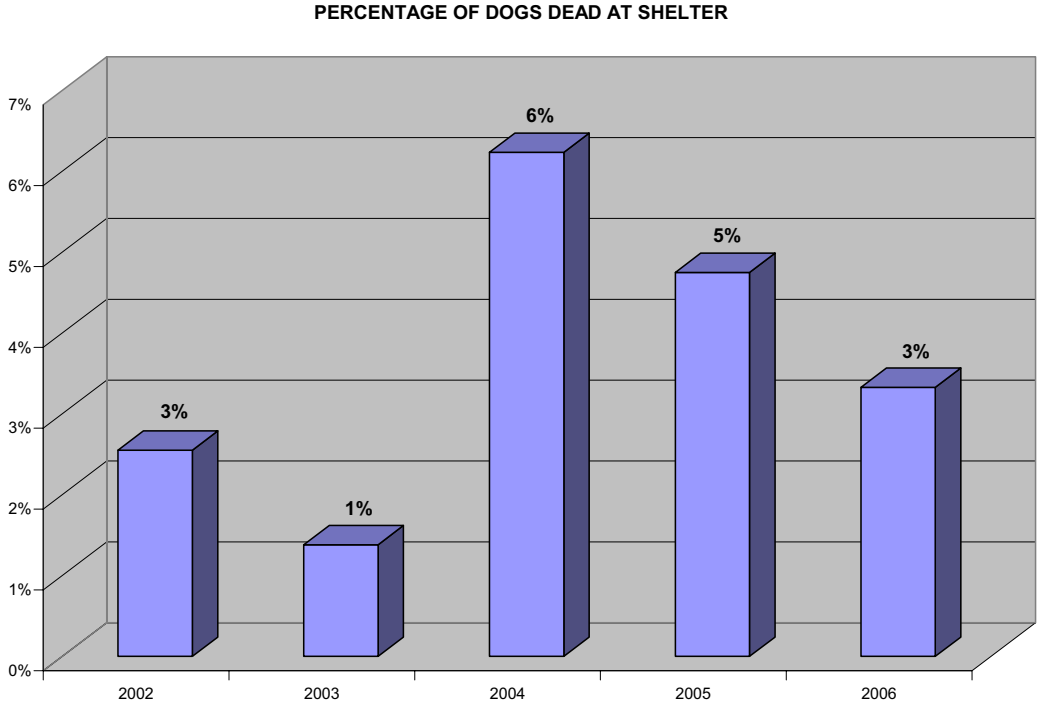
The health of animals in a public shelter is of significant concern. Shelter personnel do not have any medical history on animals entering the shelter. Disease prevention and control is dependant on the training of shelter staff, the development and rigorous adherence to cleaning and disinfecting protocols, and constant observation of sheltered animals. As stated earlier in this report: **Deficiencies in shelter management and animal care by some shelters were the primary reason the Hayden Law (SB 1785) was passed and are still the primary cause of citizen dissatisfaction with government animal control programs.**

Shelter disease prevention is deficient in the following respects:

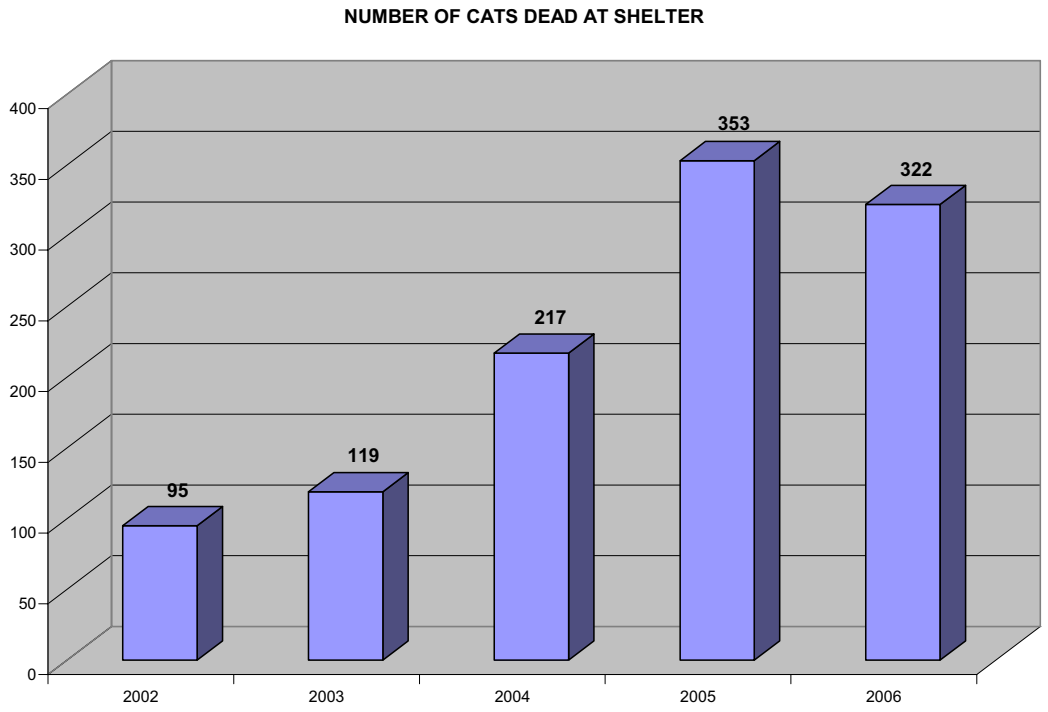
- There is no coordinated medical program in place other than the identification of a perceived problem and then sending the animal to the "vet"
- There are no standardized protocols to triage medical problems
- The current policy of "outsourcing" veterinary care is inefficient and insufficient relative to follow-up care resulting in inadequate medical care for the Division's animals
- The facility is poorly designed with respect to flooring and wall surfaces resulting in non-sealed surfaces harboring potential infectious disease agents
- Cat holding enclosures and rooms are impossible to fully clean and disinfect
- There are inadequate infectious disinfection protocols to deal with serious disease outbreaks, e.g., Parvo, Panleukopenia, and Calici
- There is a lack of staff training relative to recognition and response to disease outbreaks
- There is no diagnostic capability to recognize infectious disease outbreaks
- The disease control procedures at the shelter are inadequate to prevent the ongoing outbreak of various animal diseases, i.e., parvo, distemper, kennel cough, upper respiratory infection, etc.

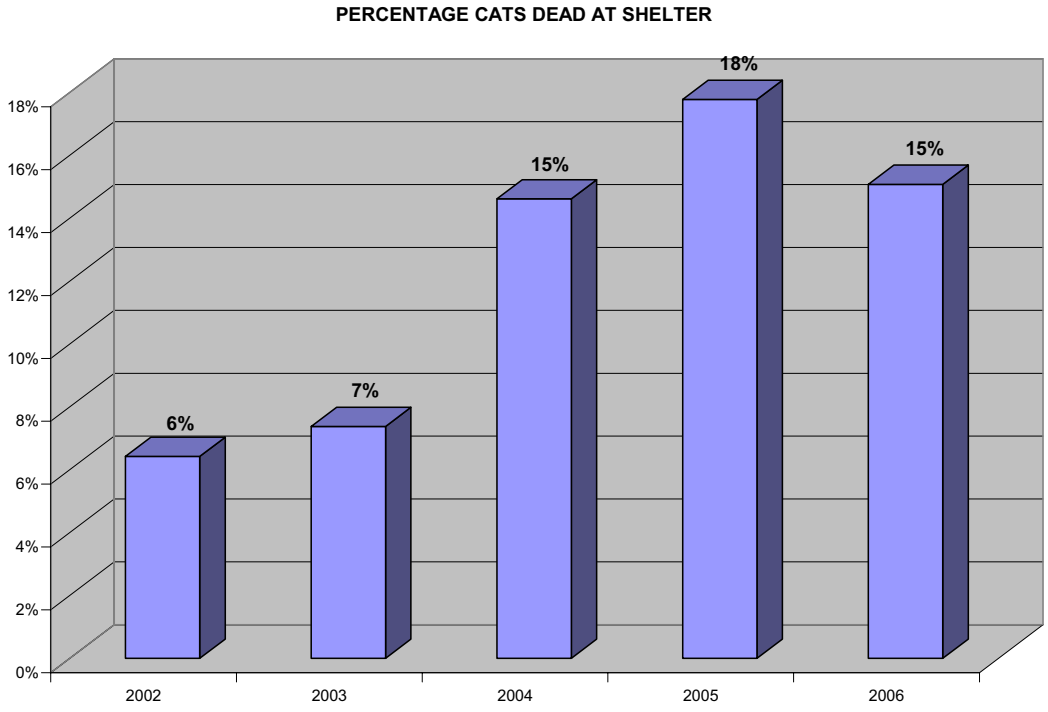
Citygate observed an abnormally large number of shelter deaths in the course of our examination of animal impound and disposition records. There should be only a small number of unexplained in cage deaths in a shelter. **The County needs to take immediate steps to determine what is causing these deaths.** We suggest that either Dr. Richard Bachman DVM, President of Shelter Medicine Support, or Dr. Kate Hurley DVM, Director of Shelter Medicine, School of Veterinary Medicine, University of California at Davis be contacted for consultation. Citygate will assist in setting up these contacts should the County want our assistance in this area.





The number of unexplained dog deaths is high but of more concern is the very large number of in cage cat deaths.





Disease Control in Animal Shelter Environments

Animals brought into a shelter environment are often stressed and thus are more vulnerable to infection.

The primary diseases that are of concern in an animal shelter environment are those that are easily transmitted among members of a species (i.e., contagious disease). These may be caused by viruses or by bacteria. The following terminology will help in understanding how these diseases are spread, particularly in a shelter environment.

How Animal Diseases Are Spread:

- Aerosol transmitted: Spreading in the air via coughing or sneezing
- Fomite transmitted: Fomite is an inanimate object on which bacteria or viruses may be transported from a source of infection (your clothes, shoes, food bowls, and cages)
- Vector transmitted: Transmitted by an insect or rodent (rats carrying fleas that carry the plague bacteria)
- Fecal-oral transmission: Transmitted from the feces to the mouth. This does not mean that visible fecal matter must be present, only that the agent was originally shed in the feces.

Incubation Period

The incubation period is the time interval between the first exposure to an infectious agent and the first sign of disease appearance**.** One of the problems presented in a shelter environment is not knowing whether an animal is incubating a disease when that animal enters the facility. Many diseases are contagious during the incubation period. Generally, one cannot tell if an animal that is not presenting any symptoms is healthy or if it is carrying an infectious agent and will soon come down with a disease.

Significant Animal Diseases[8]

The following animal diseases are of particular concern in an animal shelter environment:

Canine Distemper

"Distemper is a highly contagious viral infection caused by an enveloped, single stranded RNA virus of the genus *Morbillivirus*, family Paramyxoviridae. Although greatly reduced by widespread vaccination, canine distemper continues to be a frustrating problem in some shelters. All too frequently, shelter dogs with green nasal and ocular discharge are misdiagnosed as distemper cases, when, most of the time, these signs are caused by various agents of canine kennel cough/upper respiratory infection. However, distemper does occur intermittently, especially in shelters located in communities with many unvaccinated dogs. Shelters need to protect their adoptable canine population from exposure to a dog with this potentially fatal illness and protect adopters from the heartache of bringing home a very sick dog. However, shelters do not want to wrongly diagnose a serious disease in a dog that may only have a mild, treatable illness. Unfortunately, there is no simple and reliable method of diagnosing distemper in all infected dogs. Control of distemper requires a combination of effective quarantine, isolation, disease recognition/diagnostic testing, and environmental decontamination. An understanding of the natural history of the disease will help establish an effective preventive plan."

[8] UC Davis School of Veterinary Medicine http://www.vetmed.ucdavis.edu/msmp/protocols.htm

Canine Parvovirus

"Parvovirus is highly contagious, durable in nature, and capable of producing severe or life threatening disease in dogs. It is critical to prevent transmission of the disease and rapidly identify infected animals in order to provide appropriate medical care and protection to other dogs in the shelter. Inevitably, Parvovirus will be introduced into shelters from the surrounding community from time to time. If this occurs where preventive medicine is not practiced and/or in a crowded, busy shelter where staff is already stretched to the maximum, the response to the epidemic is a crisis mode. This is inefficient, very expensive, and much less effective at protecting puppies from disease."

Panleukopenia

"Panleukopenia is an infectious disease of cats and is sometimes also called feline distemper (although it is completely unrelated to canine distemper). The disease is caused by the feline panleukopenia virus (FPV), a very small DNA virus in the family Parvoviridae. This family includes the canine parvovirus, which actually evolved out of a strain of feline panleukopenia virus. The genome is minus-sense, single-stranded DNA and the virus has no envelope. The two main forms of panleukopenia in cats are gastrointestinal and neurological. The gastrointestinal manifestations of panleukopenia are vomiting and diarrhea, leading to dehydration, usually accompanied by immunocompromise via loss of white blood cells as infection targets the bone marrow precursors. This can predispose the cat to septicemia (bacterial infection in the blood), shock, and death. Acute and/or severe diarrhea in cats, especially during an outbreak and especially in kittens (which are more susceptible to severe disease than adult cats), should trigger testing. In the neurological form, damage to the Purkinje cells results in poor gross motor control from the cerebellum although other peripheral nerves and the cerebrum remain intact. Kittens are usually born with this disease if the queen was infected (or received a modified live virus (MLV) vaccine while she was pregnant). The presence of the disease usually is evident only after kittens begin to ambulate around one week after birth. At that time, there are intention tremors, nystagmus (abnormal movement in the pupil in the eye), abnormal placement of legs and possibly rolling over rather than standing upright. If cats can feed themselves by nursing, they can survive this stage and eventually (over months) the cerebrum compensates, allowing the cats to function somewhat more normally. The presence of this disease is usually a clinical diagnosis based on the clinical signs and history. During the early phase after birth, the kitten may have virus replication within the cat in addition to the brain, so that there is the possibility of virus being shed into the environment via the feces."

Feline Upper Respiratory Infection

"Feline Upper Respiratory Infection (URI) is similar to a common cold in humans. It is especially common in cats that have been exposed to many other cats, such as at an animal shelter. URI is very rarely fatal and usually resolves within one to three weeks. Treatment generally consists of supportive care. In addition, antibiotics are sometimes given to treat possible bacterial infections. However, although secondary bacterial infections can make the problem worse, the underlying cause is often a viral infection. Viral infections are not cured by antibiotics – as with the common cold – and there is no completely effective treatment besides time and allowing the cat's own immune system to do its job. In rare cases, URI can cause serious disease such as pneumonia. In addition, sick cats may not eat or drink adequate amounts

and may become severely dehydrated. In such cases, hospitalization and fluid supplementation may be needed."

Feline Leukemia Virus (FeLV)

"FeLV, or Feline leukemia virus, is a contagious, viral disease of cats. In addition to causing leukemia, it has been associated with various other types of cancer, anemia, and immune suppression leading to increased susceptibility to various infectious diseases. Although cats may clear initial infection, there is no cure for persistent infection and it is ultimately fatal. It appears that cats are the only species susceptible to infection with FeLV. Kittens are at significantly higher risk for contracting the disease than adult cats. FeLV is most commonly spread via the saliva of infected cats, either directly or by contaminated articles such as food and water dishes or toys. FeLV can also be present in other secretions such as urine or feces, but this is less common. FeLV can be spread transplacentally from mother to offspring, but spread via nursing or grooming is more common. Airborne spread is not a concern. FeLV is not very durable in the environment. It is inactivated by most commonly used disinfectants. It can survive for up to 48 hours in a moist environment at room temperature."

Disease Prevention[9]

"The primary methods for preventing the spread of transmissible disease include eliminating the disease by vaccination and testing and/or eliminating the routes of transmission by quarantine and disinfection. However, when quarantining an animal, ideally it needs to be housed only with other animals that have the same disease. That is, a dog with kennel cough should not be placed in the same room as one with parvo, even if the room is labeled "isolation." This can be a problem with upper respiratory diseases as there are many different causative agents, and it is extremely difficult to identify exactly which virus or bacteria is responsible. This may be one reason why cats in isolation take such a long time to improve. Often, just as they are getting over their original disease, they catch a different one from the cat in the next cage. In addition, isolation is not of much help if food and litter pans are not sterilized (or disposable ones used), if boxes and leashes are shared, or if people fail to wash their hands between handling each animal.

"Disinfection helps control the spread of disease. However, the right disinfectant must be used. None of them kill all bacteria or all viruses. Additionally, for many disinfectants to work, all organic matter (i.e., fecal matter, dried food, blood, etc.) must be removed first. Disinfectants do not work instantly. They must be left on for the recommended time if they are to be effective. The concentration and water temperature must also be proper for them to be maximally effective.

"All surfaces of a cage or kennel must be cleaned - the ceiling, doors and walls as well as the floor. The outside of cages/runs should also be washed down. Vaccination helps prevent the development of disease. However, vaccines do not work instantly and they do not cure a disease once the disease is incubating. The animal is susceptible to a disease until it has time to develop preventative antibodies, typically at least a week. Vaccines only protect against the organisms for which they were developed.

"Overcrowding contributes to the spread of disease by increasing the concentration of infectious organisms in a given environment. Overcrowding also causes stress in an animal, making them more likely to contract a disease."

[9] UC Davis School of Veterinary Medicine http://www.vetmed.ucdavis.edu/msmp/protocols.htm

Facility Design Prevents Disease Transfer[10]

There are several key programming and design components which must be utilized together in order to minimize disease transfer and animal stress while maintaining a healthy environment. These components include those listed below and are valid for both all indoor facilities as well as those featuring indoor/outdoor kennels.

1. Sizing the Animal Holding Habitats Correctly so as to Avoid Overcrowding

Sizing cat and dog holding populations involves many factors beyond the simple calculation of the number of animals multiplied times the agreed-upon holding period divided by the number of days in a year. While this is the first step, other factors such as redemption and adoption rates, population increases, seasonal variations of incoming animals (particularly in the spring) and determinations made by shelter staff of "adoptability," all must be taken into account. In addition, separate facilities must be designated for sick animals, protective custody cases (which can often result in animals being held from 6 months to a year), and vicious animals.

2. Minimizing the Number of Animals Per Space or Compartment

This holds true for cats, dogs, and other animals. While there are no set rules as to number of animals per room, modern shelters usually limit 6 to 12 healthy dogs per ward, while 8 to 20 healthy cats (in a well-ventilated space - see Item #3 below) seems to minimize disease transfer among cats. Sick animals need to be isolated or quarantined (as do vicious dogs and protective custody animals, but for different reasons). Ideally, any sick (or suspected to be sick) animal would be quarantined to its own space or room with its own separate air-handling unit, in an isolated part of the facility. Since this is generally not economically practical, modern shelters limit dog quarantine wards to 3 to 4 kennels and cats to 8 to 10. Relative to indoor facilities, each of these rooms must have its own 100 percent exhaust system with complete fresh air changes of 12 to 18 per hour depending on various environmental factors. Indoor/outdoor facilities have different requirements depending on seasonal ambient temperatures. However, as noted in the discussion of disease transfer above, proper compartmentalization for disease control should also provide a variety of quarantine wards or rooms so that animals suffering from, or exposed to, different diseases are not placed in the same room – thus exposing them to a new disease as they try to recover from the first. Therefore, it is generally recommended that smaller wards/rooms be provided and that they be designated separately (in the case of dogs) for parvo, skin allergies or kennel cough, or (for cats) a variety of smaller rooms for upper respiratory ailments. Similarly, there is a need to isolate Protective Custody animals from both the sick and the general "holding" population, partially for better disease control and partially for security control.

3. Room and Cage/Kennel Configuration

While compartmentalization and reduction of animals per ward are key components of disease control, so too is the design of the room and kennels/cages. In regard to dog wards, individual kennels should be designed so that a dog in one kennel cannot come into direct contact with another, resulting in the direct transfer of diseases such as parvo and kennel cough. Given the ability of large and small dogs to jump and climb, separating walls between kennels or habitats

[10] Excerpted from San Joaquin County Regional Animal Control Shelter Study, George Miers and Michael G. Ross, November 2000

should be solid up to at least 6'-0" high and constructed of a highly durable and washable material, which can withstand daily cleanings. Since some dogs have been known to jump out of 6'-0" high enclosures, consideration should be given to enclosing the tops with mesh for at least a percentage of the kennels. Extreme care must also be given to the use of drains in these kennels. Typically, some form of linear trench drain is used for cleaning of kennels. In most older facilities, (Sutter County included) these drains are open from kennel to kennel and drain in one direction or another. Aside from the aesthetic considerations within the animal holding environment, such trench designs allow urine and feces residue and, hence, disease to pass from kennel to kennel, thus exposing animals to each other. Kennels should also be organized such that dogs do not face each other. Part of this concern is due to transfer of airborne disease such as kennel cough. However, of equal concern is that dogs, being highly territorial, will set each other to barking much more frequently, which tends to create a significantly more stressful environment for all concerned. While the relationship of health to stress levels for "captive" shelter and zoo animals has only recently been taken seriously as a major contributing factor to the animals' well being, domestic shelters, which feature smaller, single loaded kennels, demonstrate lower disease transfer problems and generally higher adoption rates. Cat rooms do not have the same drainage issues as dog kennels (although each room does need a central drain and hose bib). Ideally, the room should be designed in a manner that keeps stacked cages on one side only. Again, part of this concern is due to the presence of airborne viruses caused by coughing and sneezing cats (the most common disease problem among cats). However, also of concern is the added stress that occurs between aggressive and non-aggressive cats exposed to one another.

4. Specialized Mechanical Systems Featuring 100 Percent Fresh Air/Exhaust and 12 to 18 Air Changes Per Hour

Fresh air is essential to the control of disease in animal shelters and to present an atmosphere that is conducive to the public's positive perception of the shelter. Shelters that smell of feces and urine present an immediate poor first impression for the visitor. Indoor-outdoor shelters are not immune from the requirement for fresh air exchange. Often indoor-outdoor shelters are constructed with poor or non-existent air exchange capability because it is thought that having the kennels open to the outdoors is sufficient for the introduction of fresh air and the elimination of stale air. The result, particularly in the winter, is a shelter that is closed with no way of bringing in fresh air or exhausting stale air.

Dead Animal Disposal

The Division currently contracts with Koefran Services for the removal and disposal of dead animals from the shelter. The Division is currently charged $16,200 per year for this service. Koefran was originally a rendering company. They made tallow out of animal carcasses. This business has been abandoned and as a result Koefran has had to raise rates to offset increased operating costs for fuel and insurance. There has been a fear in the California animal control industry that Koefran would cease operations altogether. This would place many agencies in a very difficult situation as there is no other company providing this service. Sutter County should consider installing a crematorium at its new shelter. These units are available from Matthews, Blue Diamond, Pennram, Crawford and others. A unit large enough for Sutter County should cost less than $70,000 plus siting costs. A participatory arrangement with Yuba County should

be explored relative to cost sharing and/or contracting with Sutter County for disposal services.



CURRENT FACILITIES

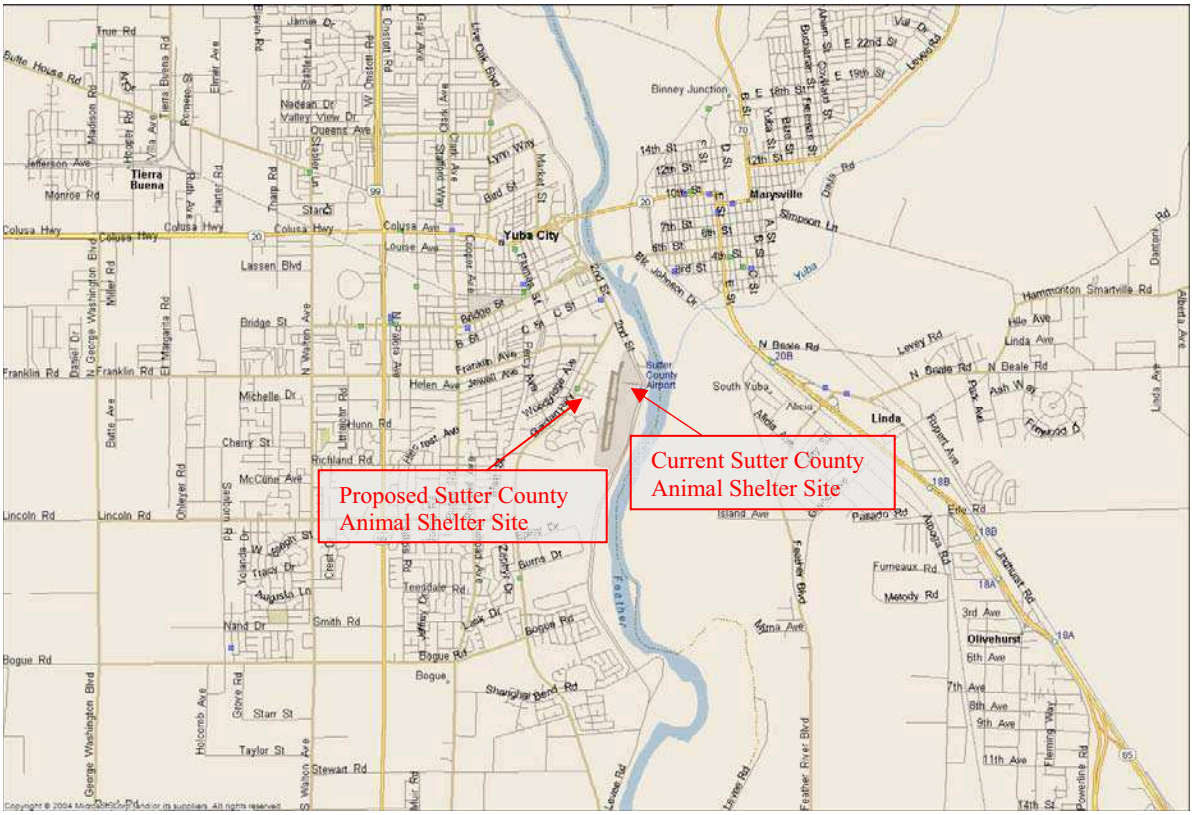
The Sutter County Animal Control Division provides animal sheltering at one County-owned and operated animal shelter. The County shelter is located in the City of Yuba City at 102 Second Street adjacent to the County airport.

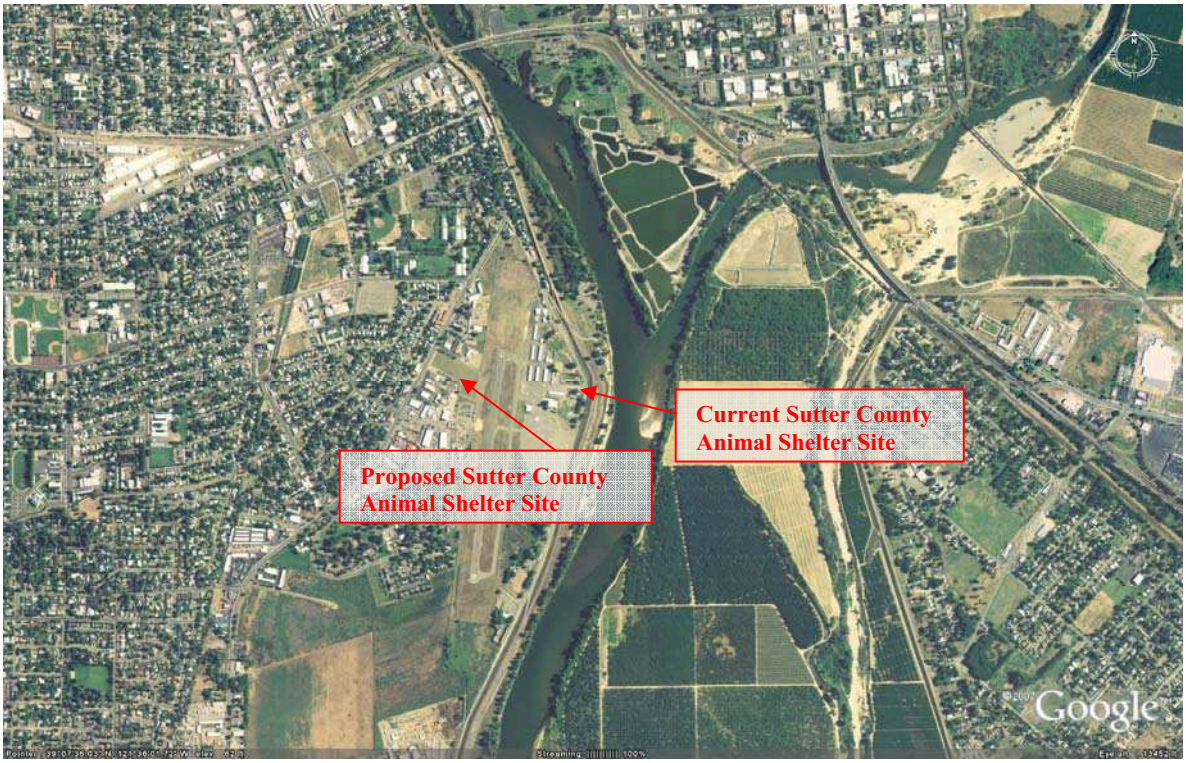
The shelter facilities are located on 1.2 acres and consist of three separate structures; a 1,290 square foot office/public counter/restrooms/storage building, a 390 square foot cat holding space/trustee rest area/ cat overflow building, and a 2,430 square foot kennel building that contains twelve (12) general purpose dog kennels and four (4) quarantine/isolation dog kennels. This building also houses the medical treatment area and euthanasia room. Total size of the three buildings is approximately 4,110 square feet.

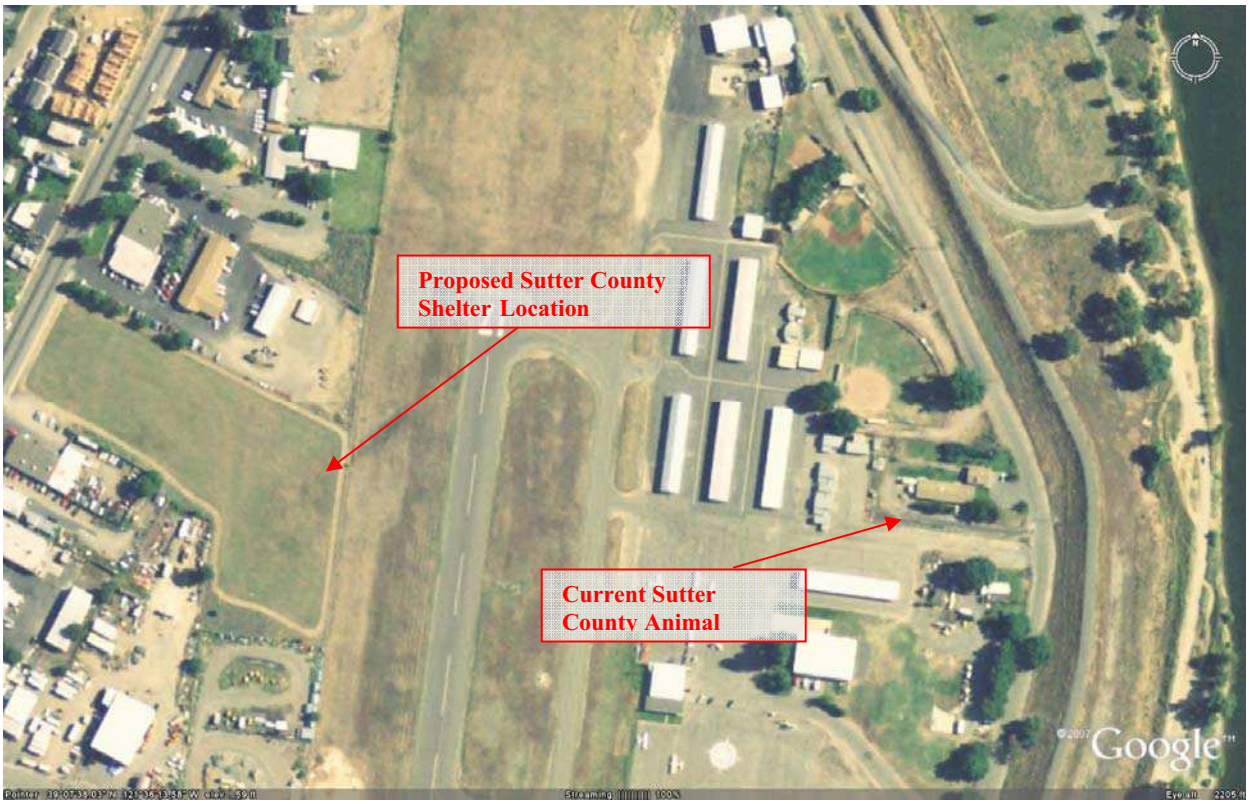
The animal shelter was constructed in 1986. Recent failure of the septic system has accelerated the need to replace the shelter at a location where a hook-up with the Yuba City sewer system is more practical. The cost to hook-up the current facility to the Yuba City sewer system was estimated to cost in excess of $500,000.

The current Sutter County animal shelter is approximately 20 years old, and is in a state of serious disrepair. None of the facility buildings meet Americans with Disabilities Act standards, seismic safety or other life safety standards. The failure of the septic system, the high cost of connecting to the sewer system and the inadequacy of the facility relative to overall design make remodeling the current facility impractical from a functional and cost standpoint. Building a new facility on the current site is impractical because of the size of the property, the need to continue service during construction and the sewer connectivity issue.

Sutter County Animal Shelter Location







Facility Evaluation

Since the shelter is going to be replaced we will not provide an extensive evaluation of these buildings. However, it is necessary to provide a brief description of the deficiencies of the shelter as a contrast to present day best practices.

Generally, the design of this shelter is indicative of animal shelters built prior to 1990 with their primary focus on the holding of stray and surrendered dogs with little emphasis on accommodations for cats or other small animals. Staff support areas are minimal and public amenities are limited to a public counter. The facility is constructed of wood frame and concrete block with a concrete slab on grade. Neither concrete block walls nor concrete slabs, both of which are inherently porous, have been adequately sealed, which has exacerbated cleaning and odor problems. The lack of adequate ventilation and humidity control along with the absence of proper waterproofing seals at perimeter areas (block to wood), have allowed the wood structure to absorb unwanted odors and moisture. Mechanical systems do not provide adequate ventilation (12 to 15 air changes per hour are generally recommended) and noise and odor are ever present within the facility. In addition, the holding capabilities of the facility do not satisfy SB 1785 (Hayden) unless multiple dogs are held in each kennel.

Of equal importance to the facility's animal holding capacity and physical condition, is the nature of the animal holding habitats and the functional flow or layout of the overall design. In regards to the habitats, the current design of the facilities' dog kennels feature chain link enclosures with a drain in the central corridor and open trench drains along the north and south sides of the building. This arrangement poses a disease transfer problem. All of the kennels are double-stacked around the central corridor such that dogs face one another. This arrangement is

discouraged today both because it enhances the opportunity for disease transfer through airborne viruses, and because it induces confrontations and, hence, additional stress and barking. The facility has too many dogs per compartment and isolation areas are ineffective due to overcrowding, poor mechanical/plumbing systems or a combination thereof. Cat holding is inadequate and the cat enclosures are difficult if not impossible to adequately clean and sanitize. Some cats are kept in a small room that also functions as a trustee rest area. Cloth furniture in the room is a possible source for pathogens in that it cannot be cleaned and sanitized. Since it will take over a year to design and construct a new facility, Citygate recommends that additional stainless steel cat cages be purchased now. They can be used later in the new facility. The furniture in the cat room noted above should be replaced with chairs that can be taken out of the room and cleaned. As noted previously in this section, the University of California at Davis, Veterinary School Shelter Medicine Program staff should be brought in to consult on what to do in the current shelter relative to disease control.

The facility is approximately 20 years old, and is in serious disrepair. None of the facility buildings meet the Americans with Disabilities Act standards, seismic safety or other life safety standards. It is apparent that little money has been spent on maintenance of the facility. The interior has not been painted in many years. There is extensive dry-rot and rodent damage throughout the shelter. Cat enclosures are poorly designed, difficult to clean and sanitize and we believe are part of the disease control problem. Animal Control staff are to be commended for their ability to provide sheltering services despite the physical limitations with which they have had to work.

The design of the shelter (or lack of design) and the poor choice of construction materials have led to the functional and practical obsolescence of this facility in 20 years. A properly designed and constructed animal shelter should have a lifespan of at least 40 years if properly maintained.

The following pictures highlight some of the deficiencies of these buildings. Of note is the use of drywall in many animal holding areas. These areas must be constantly cleaned with strong detergents, disinfectants and water. This combination of poor construction material selection and constant exposure to chemicals and water has led to the deterioration of most wall and door systems.

The failure of the septic system can be viewed in a positive light in that it will lead to the replacement of these buildings with a shelter suitable to the current and future needs of the community.

Public Entrance



Front Counter



Officer Work Area



North Side of Dog Kennels



South Side of Dog Kennels



Inside of Dog Kennels



Trustee Rest Area-Cat Overflow



Main Cat Holding



Laundry



Storage Container



Storage Container Contents



Corral



Rodent and Dry-rot Damage



RECOMMENDATIONS

Recommendations to Improve Administration

Recommendation IV-1 **Develop a long-term strategic plan for the Animal Control Division.**

The Animal Control program would benefit from the City and County coming to agreement on a strategic plan for the program. The plan should line up community values and expectations as they are today and as they are likely to be 5, 10, and 20 years into the future. The plan should reflect the urban growth that is contemplated in the City and County General Plans, and the service demand increases that will surely come. All core functions of the Animal Control program should be addressed in the multi-year plan: field operations; shelter operations; spay/neuter activities; veterinary medicine; and community education. Estimated personnel, O & M, capital outlay, vehicles and equipment, and capital facility costs should be identified and forecasted at least at a macro level.

Recommendation IV-2: **Re-examine the governance of the Animal Control program. Several alternatives exist:**

Alternative No. 1: County Lead Agency (current): Leave it as it is, i.e., County provides the service Countywide under contract with the cities.

Alternative No. 2: Yuba City Lead Agency: Yuba City would provide the service and contract with the County and Live Oak to provide animal control services.

Alternative No. 3: Joint Powers Authority: Yuba and Sutter County and the cities within both counties share authority and responsibility for the Animal Control program.

Recommendation IV-3: **Develop a Mission Statement, Goals and Objectives for the Animal Control Division that define the purpose of the Division and desired accomplishments.**

Goals and measurable objectives anchored by a mission statement developed specifically for the Animal Services Control Division, as opposed to the Sutter County Community Services Department, need to be established. Clearly defined objectives will make it possible to measure the performance of the Division and assist in the continuous improvement process. Goals and objectives are derived from the mission of an organizational unit. The goals and objectives support the Division's mission by providing:

- A basis for programming decisions by creating explicit expectations for performance against which accomplishments can be measured and evaluated
- A long-range orientation for reviewing the allocation of budget resources to priority programs and projects and their impact on alleviating major service problems
- A clear understandable documentation of the need for and commitment to continuous improvement.

A goal is a general-purpose statement describing what the Sutter County Animal Control Division would like to accomplish in the future. Goal statements center on community concerns that are important in Sutter County. The goals serve as the basis for developing directly related, measurable and shorter-range objectives. Sutter County's animal control goals should be broad in scope, timeless, subjective and related to important community needs, for example:

- "Encourage the proper care and human treatment of domestic animals and protect persons and property from harm by a program of licensing dogs, enforcing inoculation and leash laws and housing stray animals until they are reclaimed, adopted or destroyed"
- "Embrace a variety of strategies to teach responsible pet ownership and instill a humane ethic in all members of the community"
- "Reduce uncontrolled breeding through community education spay/neuter and stray impoundment."

An objective is a statement of a desired or planned result that is measurable within a given period of time. Well-drafted objective statements are:

- Results oriented: They focus on useful results, not the process or how to achieve them
- Specific and measurable: They define in quantitative and verifiable terms what is to be accomplished

- Time specific: They predict when the results will be realized
- Realistic and attainable: They can be achieved within a reasonable time and cost
- Understandable and challenging: They can be understood by those responsible for implementation and provide motivation for successful performance
- Relevant to the management information system: They provide a substantive basis for monitoring and evaluation and encourage regular review and revision.

Examples of objective statements that could be used in Sutter County are listed below:

- Reduce the number of animals euthanized by _____ percent during the fiscal year
- Decrease the number of stray animals by _____ during the fiscal year
- Increase revenue from fees and charges by _____ percent during the fiscal year
- Increase the number of pet adoptions during the current budget year
- Increase the number of animal licenses issued this year by _____ percent
- Increase the overall customer service rating for the Division from _____ percent to _____ percent during the fiscal year
- Increase the employee satisfaction rating by _____ percent during the fiscal year
- Update the policies and procedures manual within the next six months
- Increase the number of adoptions by _____ percent during the fiscal year
- Reduce the response time to requests for service by _____ minutes during the fiscal year
- Design and print within one-month citizen comment cards to be distributed by office and field staff
- Prepare _____ animal service information brochures during the fiscal year
- Increase the number of animals returned to owner by _____ percent during the fiscal year
- Reduce the number of repeat dangerous dog attacks by _____ percent during the fiscal year.

Recommendation IV-4: **Staff the Division with the number of personnel necessary to provide quality customer service.**

The current field operations and shelter operation staffing levels are insufficient to meet current service demands, much less future service demands.

Even with all of the currently allocated positions filled, the program is still understaffed given the size of the service area and workload.

The multi-year strategic plan referenced above should address realistic service level standards and the staffing levels required to meet those standards.

Recommendation IV-5: **Phase out the use of inmate labor.**

Utilizing inmates is a way to leverage resources and staff the kennels with sufficient bodies to perform basic kenneling functions. However, continuing to rely on this labor pool creates several significant problems for the program.

Best practices dictate a shelter work force that is schooled in safe animal handling, humane animal care, disease recognition and prevention and outstanding customer service. The use of inmates will make it difficult for the Division to accomplish any of these goals. Phasing out the use of inmate labor should be included in the previously mentioned Strategic Plan.

Recommendation IV-6: **Develop a Performance Management System which measures the extent to which key objectives are being achieved.**

Performance measures are an essential tool for managing the Sutter County Animal Control Division efficiently and effectively. Good performance measures help focus the efforts of the Division on those activities that are essential to achieve the objectives, goals and mission of the Division. Elements of an overall **Performance Management System** would include the following:

- Mission statement
- Goal and objective statements
- Performance measures
- Performance targets and standards
- Performance reports
- Performance monitoring.

Basic categories of performance measures include:

- Input measures which report the resources (financial, personnel, materials, equipment) used to provide a service
- Output measures which report work accomplished
- Outcome measures which report the results and quality of service including customer satisfaction
- Efficiency measures which report the costs of outputs and outcomes in terms of dollars or employee hours per unit.

Employee involvement in the selection of performance measures is essential, as are the informational needs of the Board of Supervisors. Here are 10 tips:

- Develop multiple performance measures (input, output, outcome and efficiency) for the same service and objective. A set of measures is necessary to give a complete picture of performance.

- Balance the performance measures so that the effect of improving any one or two is weighed in relation to the impact on the others.
- Select performance measures for which data are readily available.
- Involve those who use and collect the data in the development of the performance measures. They can identify factors that are not within their control and cause unanticipated or unwanted results.
- Consider customer requirements.
- Review and revise performance measures when the mission and objectives change and if they do not adequately measure.
- Limit the number of performance measures to a vital few. Too many confuse users and distract from key ones.
- Obtain information on performance measures used by other animal control agencies.
- Select performance measures that collectively provide the most practical and useful information for critical activities that are essential to carrying out the core mission.
- For knowledge-based services, measure performance in terms of deadlines and cost targets met, quantity of work produced, extent to which work must be revised or corrected and extent to which recommendations are accepted.

Here are some examples of **performance measures** that are likely to work in Sutter County:

- Response times for emergency, nuisance and other calls
- Percent of eligible animals licensed
- Percent of animals adopted
- Percent of animals claimed
- Percent of animals euthanized
- Percent of animals spayed/neutered
- Number of calls per 1000 people per year
- Animal control costs per capita
- Number of calls per field officer per year
- Percent of adopted animals returned
- Number of animals impounded
- Percent of animals licensed
- Number of complaints and requests for service
- Number of animal bites
- Unit cost of issuing licenses, impoundments, adoptions, responding to calls.

Recommendation IV-7: **Develop additional detailed written policies and procedures to aid the day-to-day operation of the Division.**

Additional written policies and procedures are needed or need to be strengthened in the areas of; disease control, complaint investigation and reporting, scanning for microchips, overtime and on-call time, documentation and control of controlled substances, inventory control of dog food and other supplies, shelter security, lunches and breaks, use of Division property, equipment and supplies, time reporting, adoption, hours of operation, licensing issuance and enforcement, emergencies, dress code, employee safety and animal identification. **Of primary importance is the need to update the manual taking into account changes necessitated by the installation of the Chameleon software system.**

Recommendation IV-8: **Institute recurrent training in safe vehicle operation.**

Training relative to the safe operation of agency vehicles should be developed and employed rigorously. Policies for safe vehicle use should be monitored and enforced.

Recommendation IV-9: **Institute recurrent training relative to the handling of rabies suspect animals and the protocols for rabies testing.**

Policies and procedures relative to the handling of rabies suspect animals and the protocols for rabies testing should be developed in conjunction with the communicable disease staff of the County Health Department. Initial and recurrent training of field and kennel staff in this subject area should be undertaken and documented. Rabies control is the most important function of the Division. Mistakes made in the investigation, quarantine or release of rabies suspect animals can expose the County to significant monetary and public relations damage.

Recommendation IV-10: **Institute initial and recurrent training in proper lifting and restraint techniques.**

Animal control field staff and kennel personnel share significant exposure to situations conducive to work connected injury. Initial and recurrent training in proper lifting and restraint techniques should be implemented.

Recommendation IV-11: **Institute training in Chameleon for all staff.**

The County has a state-of-the-art animal control program management software system (Chameleon). However, the County needs to commit to additional training for all personnel in the program. Crystal Reports training should be undertaken to assure that needed reports are generated. Citygate can provide the County with contact information for a consultant to generate the needed reports and train staff.

Recommendation IV-12: **In conjunction with the opening of the new shelter, develop a comprehensive separate manual for clerical, kennel and field activities. Use these manuals as training guides.**

Recommendation IV-13: **Test all staff prior to completion of probation and recurrently relative to required knowledge and skills.**

Recommendation IV-14: **Conduct a training needs assessment and provide training to all employees.**

A training needs assessment should be made to identify and prioritize training needs. This will enable employees to provide input on the training they feel they need to improve their skills. Other sources of information on training needs are performance evaluations, discussions with employees on their development interests, customer feedback and complaint information. The following are topics that should be considered:

- Computers
- Customer service
- Kennel cleaning procedures
- Euthanasia technique
- Safety
- Animal behavior and breeds
- Volunteer relations
- Stress management
- Dispatching
- First aid
- Dealing with the public
- Complaint investigation
- Problem solving
- Communication skills
- Public relations
- Report writing.

Individual training plans should be developed for each employee. This ensures that employees receive training customized to their needs, strengths and weaknesses. Training should be available to both full-time and part-time employees and volunteers. Formal training for new employees should be expanded. Incorporation of written policies and procedures into the training will increase its benefits. Cross training of employees will improve customer service and teamwork and enable employees to fill in for other employees when they are absent.

Provision should be made to evaluate all training to ensure it is achieving its objective. Employee feedback on training is one type of evaluation. Another is to measure the impact of training on customer service ratings and work performance.

Adequate training is the key to employee performance and satisfaction, quality service, productivity and customer service.

Training provided by other animal control agencies and recommended by humane and animal control organizations should be considered in developing a Division training program and budget.

Recommendation IV-15: Increase salaries paid in the Division.

Our salary survey indicates that salaries are significantly below what other jurisdictions are paying and are below what other County classes are receiving for less responsible work.

Recommendation IV-16: Increase the fee structure of the Division.

Our fee survey indicates that Sutter County's fees should be evaluated, particularly dog licensing which is low compared to other agencies. Additional fines and fees should be considered if they will not adversely impact Division program goals.

Recommendation IV-17: Institute an administrative fee to clear a "failure to license citation."

"Failure to license citations" has no return to source requirement. Therefore, the County receives no revenue associated with this activity. By allowing violators to clear the citation with the Division before it is sent to the court by paying a fee that is less than the cost of the citation, the citizen saves time and money and the Division's revenue is increased.

Recommendation IV-18: Reduce shelter and clerical staff hours by closing to the public Sunday and Monday.

Staffing levels cannot effectively support the hours the Division is open to the public. Most other animal control agencies are closed on Sunday and many are closed on Monday.

Recommendation IV-19: Modify the Division's website to include the following:

List the hours of operation on the home page. Add a frequently asked questions page. Provide the date and location of low-cost rabies vaccination clinics. Provide information on the benefits of spay/neuter. Provide links to other area shelters, the Yuba-Sutter SPCA and to the "Denver Dumb Friends League Pet Behavior Advice Page" (http://www.ddfl.org/tips.htm). The latter is a database that provides helpful information to pet owners relative to virtually any pet behavior issue.

Recommendations to Improve Field Operations

Recommendation IV-20: When Animal Control Officer staff is increased consider changing the current shift schedule to provide coverage before 8:00 AM, after 5:00 PM.

The current shift schedule does not provide the citizens of the County with adequate coverage. Animal problems are not restricted to an 8 to 5 schedule.

Recommendation IV-21: **Provide ballistic protective vests to those officers who wish to wear them.**

Animal Control Officers are in constant contact with all strata of the community. Some of these individuals have criminal records and can react violently and unpredictably to situations that are not to their liking. Animal Control Officers are tasked with the issuance of court citations and the impoundment of animals from these individuals.

Recommendation IV-22: **Utilize the Chameleon system to generate field performance reports. Use these reports to evaluate and motivate field staff.**

The Chameleon computer software is capable of tracking all aspects of the Division's performance. The software is based on a relational database that allows the extraction of data through provided reports or the generation of specific reports through the Crystal Reports report software module. This capability is not being utilized. Officer performance is not tracked and used as part of an on-going evaluation process.

Recommendation IV-23: **Order future animal control vehicles with more modern animal control compartments.**

The current animal compartments are not ideal because of the following:

- Animals are exposed to the elements.
- Animals that are injured or in distress draw unwelcome attention to the animal control program and staff.
- Dead animals are exposed in the bed. This is not a good public relations visual.
- The number of animals that can be carried is limited thus requiring frequent returns to the shelter.
- Space for equipment is limited.

Recommendation IV-24: **Order future animal control vehicles with ramps and either lift-gates or winches.**

There is limited provision for assistance in loading large animals, e.g. winch, lift or ramp. (One of the animal control trucks has a wench.) This is a loss prevention issue. Back and limb injuries can be costly for the agency relative to workers' compensation rate increases and is especially burdensome for a small work unit because of staff reductions and increased workload because of extended time off.

Recommendation IV-25: **Order the next animal control vehicle with four-wheel drive.**

The completion of some animal control calls require going off-road. Current vehicles lack this capability.

Recommendations to Improve Shelter Operations

Citygate recognizes that the County is committed to replacing the current shelter and therefore there is an understandable reluctance to spend any additional funds on the existing facility. However, there are several problems that in our view need to be addressed before conditions get out of control and the County suffers from legal action and adverse publicity.

Recommendation IV-26: **Contract with a veterinarian conversant with public animal shelter issues and/or the University of California at Davis in order to determine the cause of shelter animal deaths and develop solutions for this problem.**

The in-cage death issue noted in the body of this section needs to be addressed. The Division should contract with a veterinarian conversant with public animal shelter issues and/or the University of California at Davis to establish policies, procedures and protocols sufficient to protect the animals entrusted to the care of the Division. The disease control procedures at the County shelter are inadequate to prevent the ongoing outbreak of various animal diseases. Shelter medicine is far different than a normal veterinary practice. The volume of animals in need of care and the lack of any medical history for impounded animals make the establishment of policies and protocols that are shelter specific an imperative.

Recommendation IV-27: **Replace the current cat enclosures with stainless steel cages and replace the current furniture in the trustee rest area with something that can be removed and sanitized.**

The current cat enclosures are difficult if not impossible to adequately clean and sanitize. Some cats are kept in a small room that also functions as a trustee rest area. Cloth furniture in the room is a possible source for pathogens in that it cannot be cleaned and sanitized. Since it will take over a year to design and construct a new facility, Citygate recommends that stainless steel cat cages be purchased now. They can be used later in the new facility. The furniture in the cat room noted above should be replaced with chairs that can be taken out of the room and sanitized.

Recommendation IV-28: **Take whatever steps are necessary to control the rodent problem at the shelter.**

We are certain that the Division recognizes that the rodents have gotten out of control. Staff has taken steps to mitigate the problem but in our view more needs to be done. We do not believe that this problem can be allowed to persist until a new shelter is built.

Recommendation IV-29: **Paint all masonry block walls with epoxy based paint and seal concrete flooring.**

The porous nature of the walls and flooring in the facility hamper effective disease control. To fix this problem the following steps are recommended after contacting UC Davis to have them evaluate their viability given the condition of the other wall and ceiling surfaces.

- Systematically close down each kennel and cat holding area
- Thoroughly clean, disinfect and scrub with bleach
- Paint all masonry block walls with epoxy based paint to prevent the recurrence of bacteria and virus accumulation in porous masonry walls and concrete floors.

Recommendation IV-30: Install a crematory unit in the new shelter.

Increased dead animal disposal costs from Koefram Services are of concern. The County currently has no viable alternative to paying the increasing cost of this service. In addition, the County would be in a very bad position if this company were to go out of business.

SECTION V—A COMPARISON WITH OTHER AGENCIES

This section compares Sutter County with other public, open-admission animal control agencies that provide both field and shelter service. They were selected because they are operated directly by a public agency, and are not a humane society under a contract. Some were chosen on the basis of location, being in close proximity to Sutter County. Butte County is not included because they contract with an SPCA. Colusa County is not included because the county population is only 22,000. Others were chosen because their population is similar to Sutter County. Others were selected because they are generally considered to be among the best managed animal control programs in the state. (Contra Costa and Santa Barbara Counties)

AGENCIES

Agency	Service Area Population
Yuba County	58,032
Shasta County	70,508
Mendocino County	90,291
Sutter County	91,500
Humboldt County	116,101
El Dorado County	178,674
Placer County	218,229
Sonoma County	344,918
Santa Barbara County	440,000
Sacramento City	461,000
Sacramento County	740,142
Contra Costa County	942,191

COMPARISON CATEGORIES

The selected agencies are compared relative to:

Financial

- Gross Cost Per Capita
- Revenue Per Capita
- License Revenue Per Capita
- Net Cost Per Capita.

CITYGATE ASSOCIATES, LLC

Sheltering

- Animals adopted
- Animals redeemed
- Animals euthanized.

Field activities are not compared because of the disparate data points and collection unreliability among the surveyed agencies.

Gross Cost Per Capita

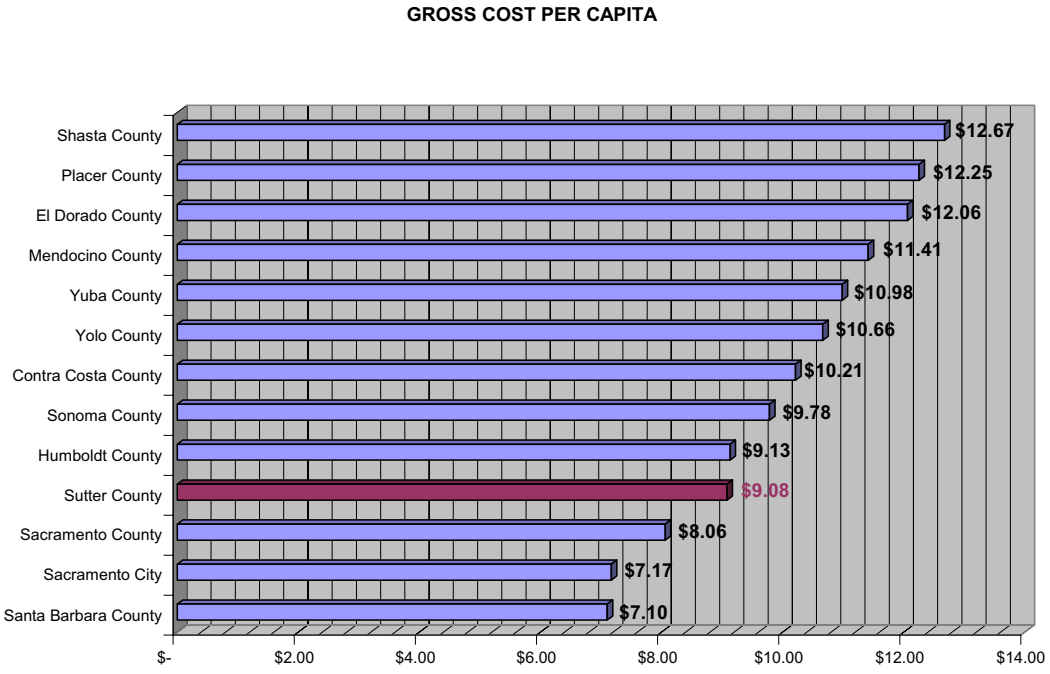
The following chart shows how much the surveyed agencies spend per capita on their animal control programs. All of these animal control programs are divisions of larger departments with the exception of the Contra Costa County Animal Services Department which is a separate department reporting directly to the Board of Supervisors, through the County Administrator.

High gross cost can be an indicator of one or more of the following:

- The public agency believes the program is important and has chosen to fund it at a level that makes the attainment of best practices probable. (Contra Costa, Santa Barbara, El Dorado Counties)
- The agency pays its employees well compared to other jurisdictions. (Contra Costa, Sonoma, Placer Counties and Sacramento City)
- The County is large geographically and has a small population. The large land area requires a higher staffing level than would ordinarily be necessary given the population. (Shasta and Mendocino Counties)

Low gross cost can be an indicator of one or more of the following:

- Small land area and large population. (Sacramento City)
- High volunteer to paid employee ratio. (Santa Barbara County)
- Low salaries and understaffing (Sutter County).



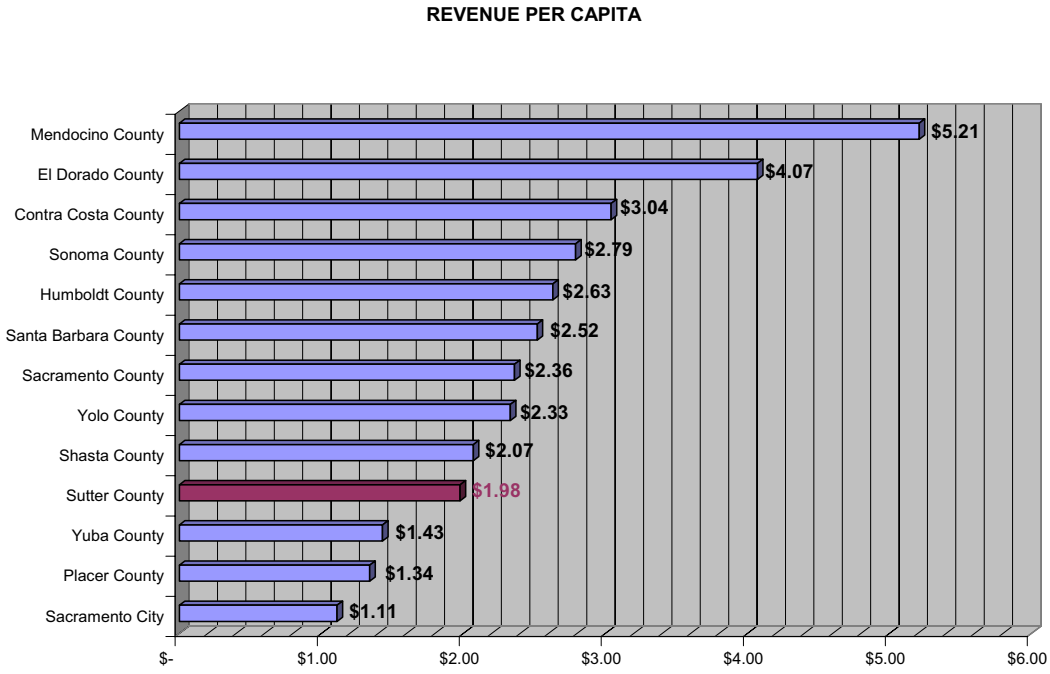
Revenue Per Capita

The following chart shows how much revenue an animal control program earns per capita. City contract revenue has been eliminated from the calculations to allow for a more direct comparison of cost recovery. An animal control program derives revenue from the following primary sources:

- Dog licensing (This revenue source will typically account for 50 percent or more of total revenue)
- Impound fines
- Board fees
- Surrender fees
- Dead animal disposal fees
- Pick-up fees
- Spay-neuter penalties
- Animal adoptions.

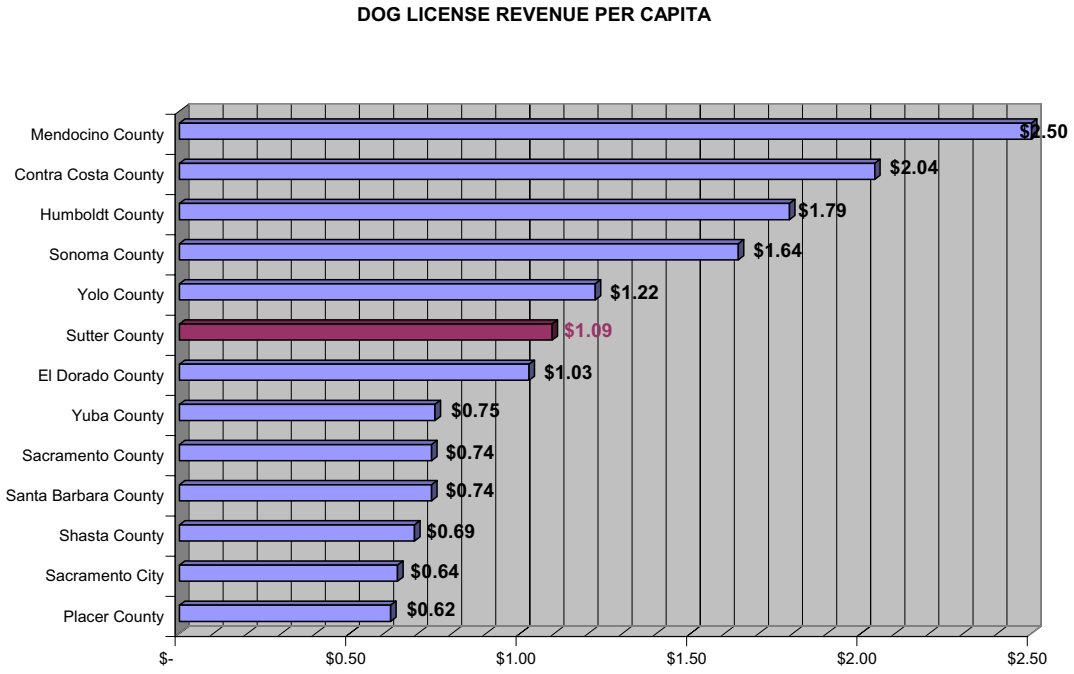
The disparities between the surveyed agencies can be attributed to:

- Differences in the amount of the fee or fine charged
- The rigor with which the animal control program pursues cost recovery
- The staffing level of the agency.



License Revenue

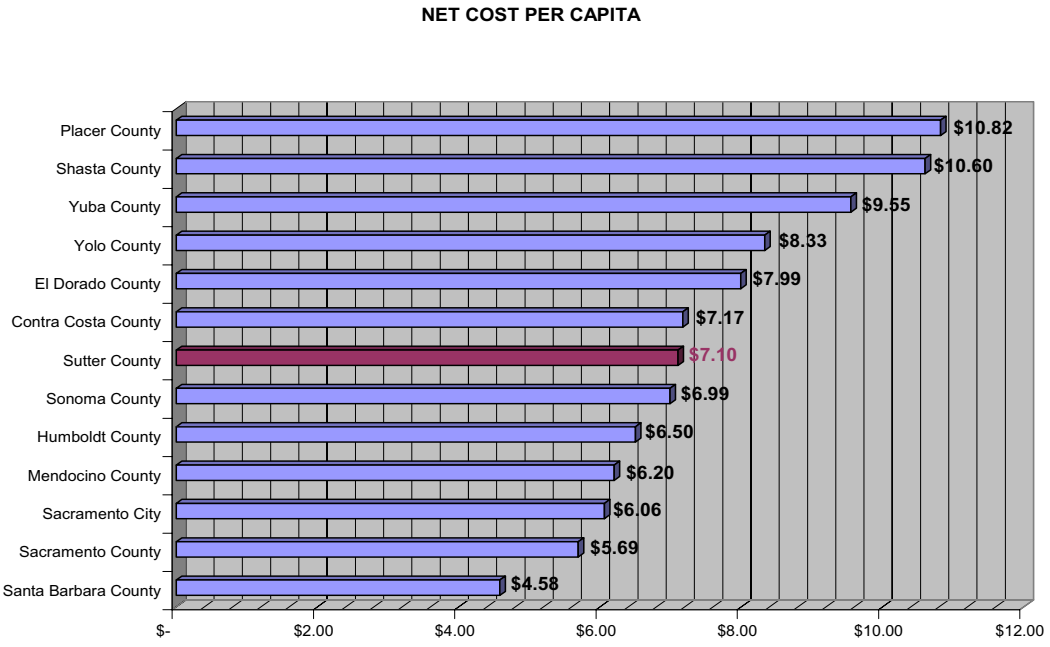
As noted above this fee category will typically make up 50 percent or more of animal control program revenue. Dog licensing is part of the state mandated rabies control program. The primary focus of this program is to vaccinate the largest number of dogs and thus protect the public from rabies. Some agencies have kept their licensing fees low to protect against non-compliance. High licensing fees and low enforcement efforts will not be in the best interest of the community. Disparities in the amount of revenue derived from dog licensing are attributable to the amount charged for a license and the rigor with which enforcement is perused.



Sutter County has budgeted $100,000 for dog licensing revenue. 2006-2007 projected revenue is approximately $86,000 thus reducing the per capita amount to $.94.

Net Cost Per Capita

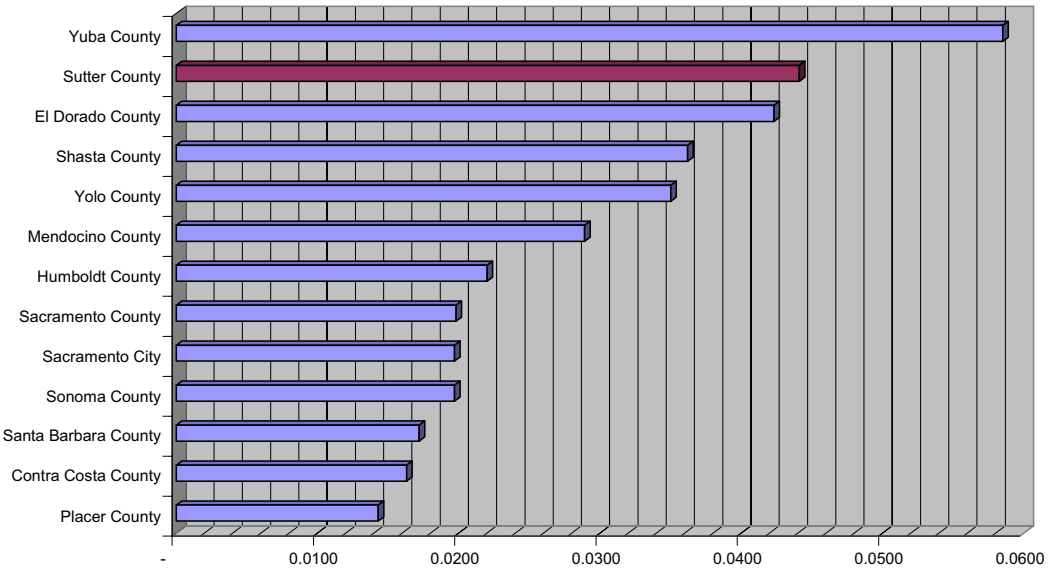
Net cost per capita is a measure of the financial support provided to an animal control program and the fee structure, staffing level and the amount of time and effort an agency spends on cost recovery. In the following chart several factors previously noted combine to affect the net cost. Shasta County has a high gross cost per capita owing to its large size, (over 3,800 square miles) and a low level of cost recovery thus netting a high general fund cost. Santa Barbara County on the other end of the spectrum has the lowest gross cost because of their extensive use of volunteers and average cost recovery. Mendocino County owes its relative good showing to its extraordinary success in dog license enforcement. Sacramento City benefits from a small land area and thus reduced need and expense for field personnel.



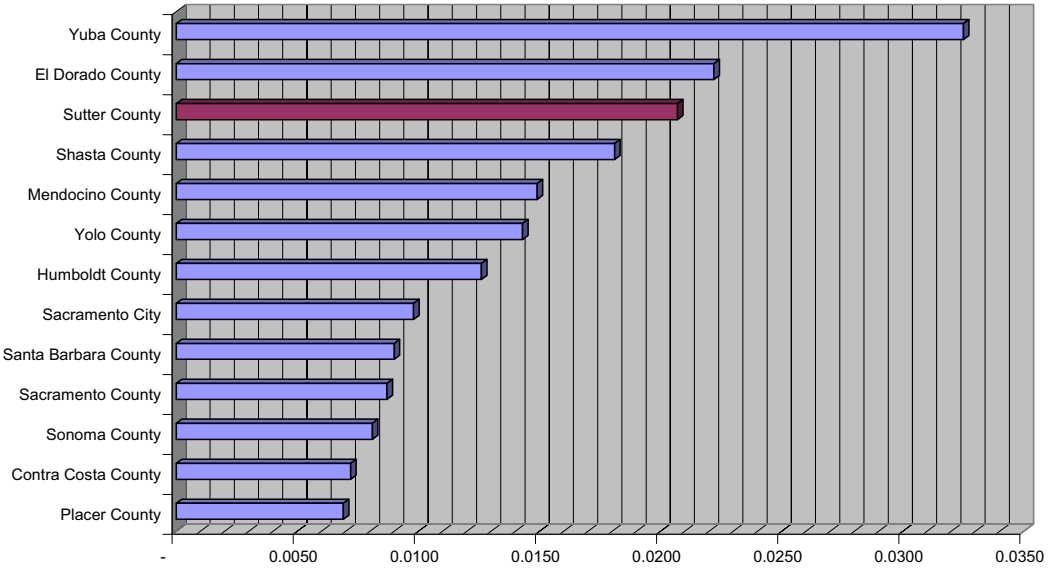
Animal Intakes

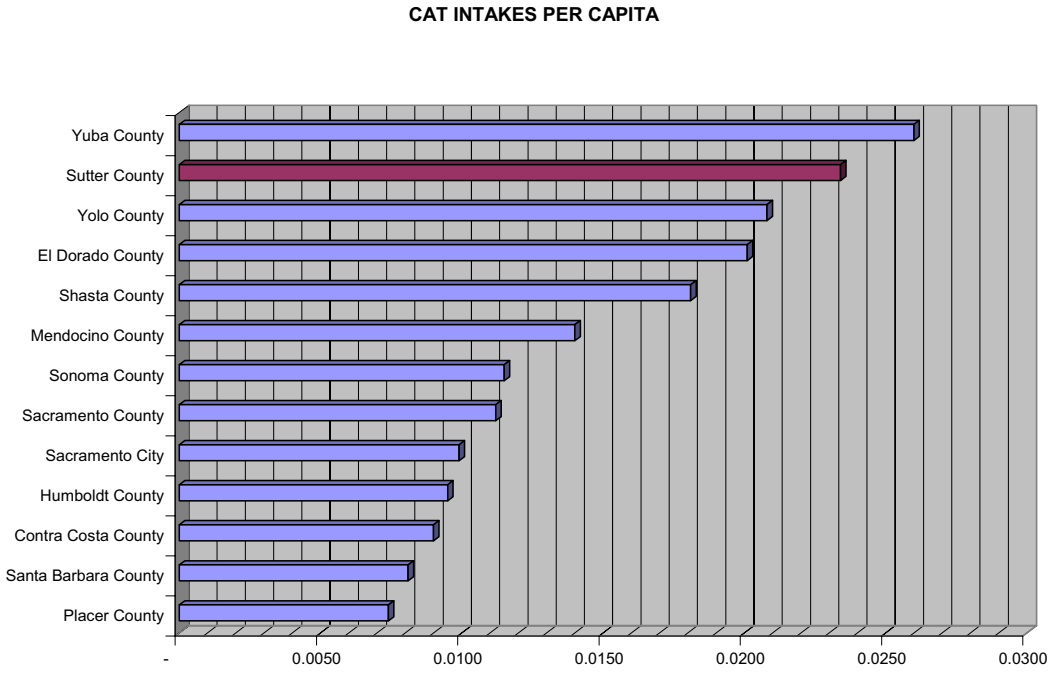
Over the past decade, animal control agencies, particularly those in urban areas, have been under pressure to reduce the number of companion animals euthanized in public shelters. Given the breeding capacity of dogs and cats, the most effective way to do this is to reduce the number of animals entering the shelter through spay/neuter.

DOG AND CAT INTAKES PER CAPITA



DOG INTAKES PER CAPITA





There are three primary variables that affect the number of dog and cat shelter intakes:

1. The existence of affordable spay/neuter resources
2. Public acceptance of responsible pet ownership and spay/neuter
3. The level of field enforcement effort.

In general the agencies that have the lowest animal intakes have invested in promoting spay/neuter and responsible pet ownership and those with high animal intake numbers have not. Also in a general sense, more urban and affluent areas tend to have more spay/neuter resources available and have the means to pay for those services.

Responsible pet ownership in this sense means not letting your dog outdoors without a leash. A high level of field enforcement accompanied by significant penalties make it less likely that dog owners will let their dogs roam free.

Cat intakes are almost always owner surrenders or trapped feral cats. Non-profit groups that capture feral cats, have them sterilized and then release them seem to have had a positive effect in some communities.

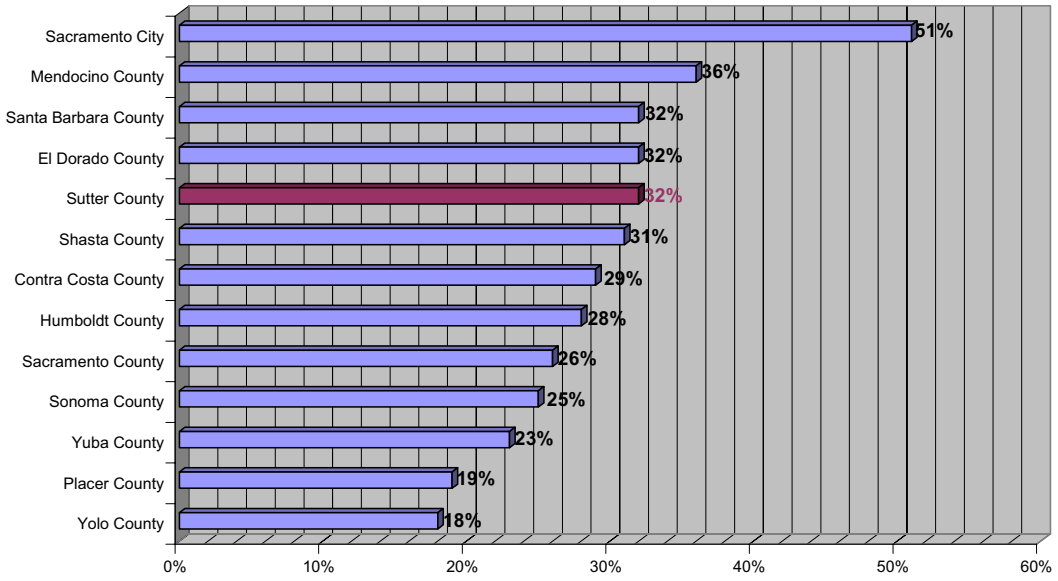
Animal Outcomes

After an animal enters an animal shelter there are only three things that can happen to it:

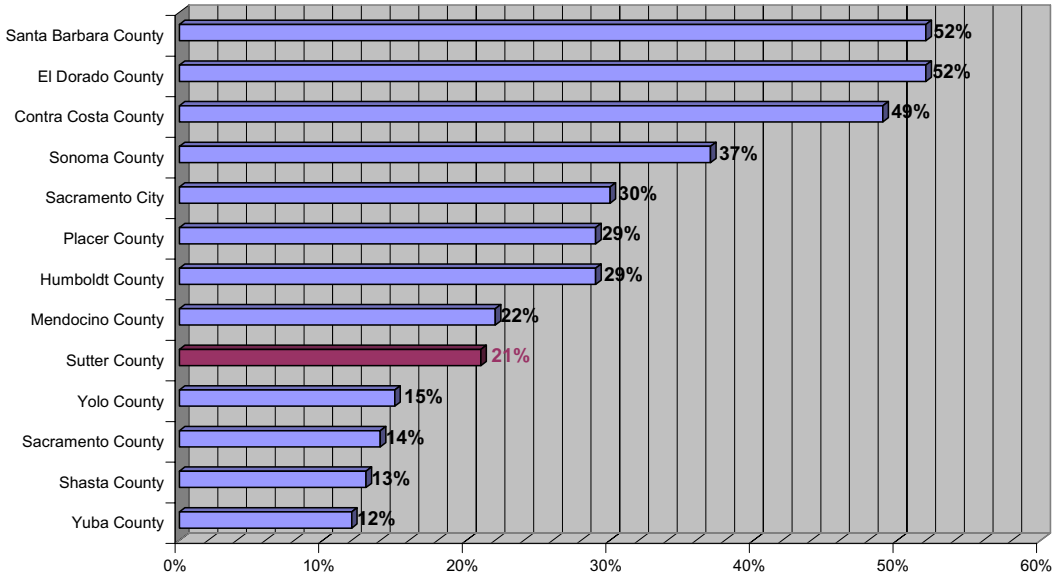
1. It can be adopted or transferred to a non-profit
2. It can be reclaimed by its owner
3. It can be euthanized.

The following charts show adoptions. Transfers to non-profits are not included.

DOGS ADOPTED

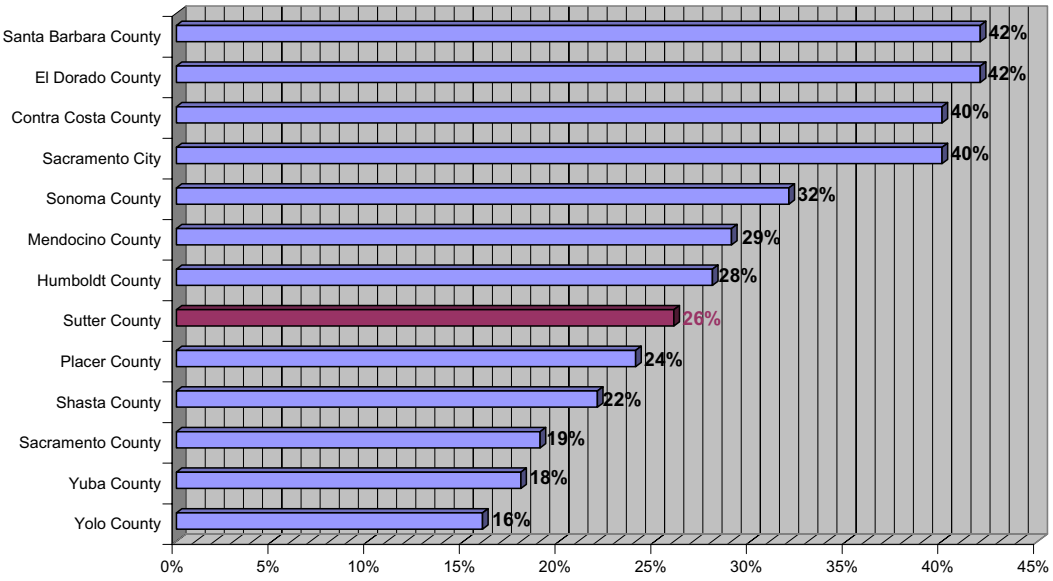


CATS ADOPTED



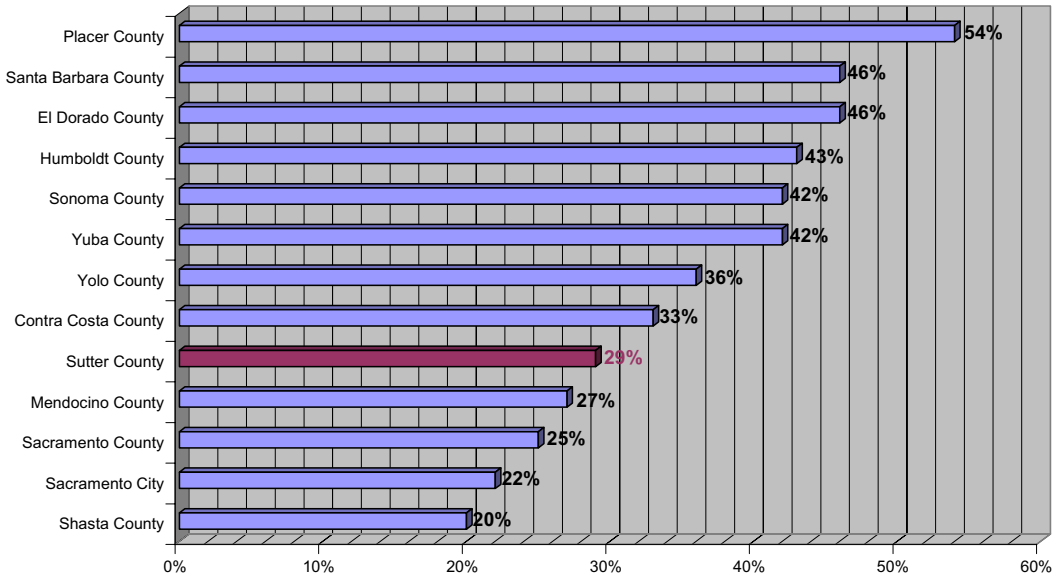
CITYGATE ASSOCIATES, LLC

TOTAL DOGS AND CATS ADOPTED

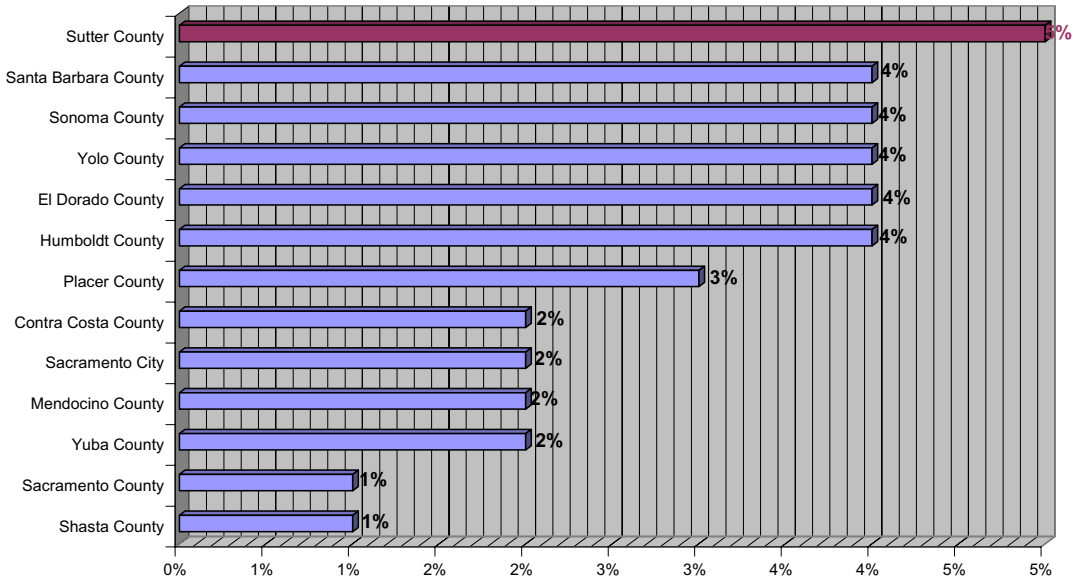


Sutter County is doing an admirable job adopting dogs. Cat adoptions are relatively low and therefore bring the total adoption percentage down. Generally, urban areas tend to adopt more small dogs and cats. Rural areas show a greater interest in dogs. Sacramento County is adversely affected by Sacramento City being the urban hub and by the fact that the City shelter is a much more appealing place to visit and thus adopt from.

DOGS REDEEMED

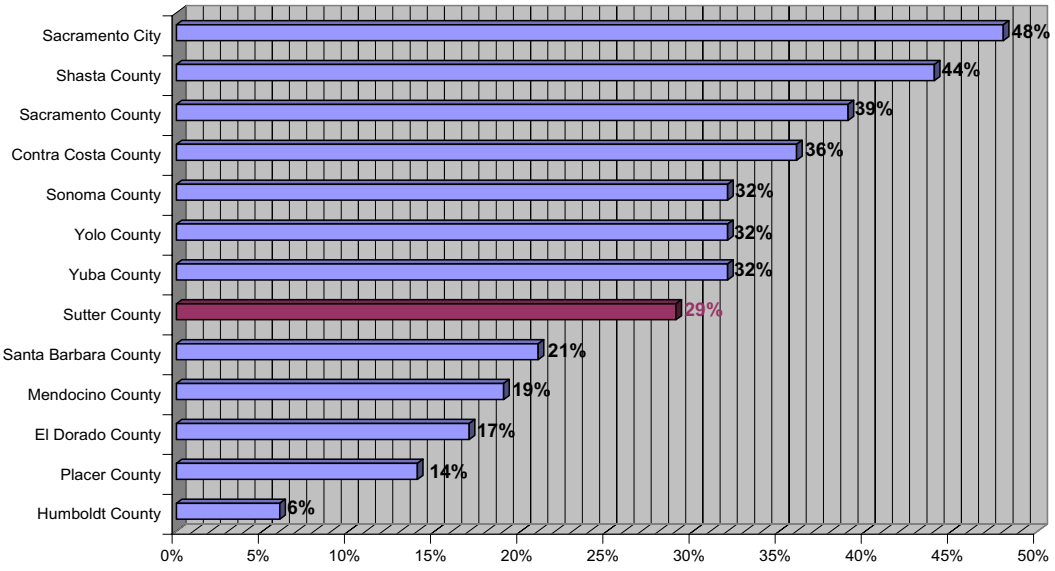


CATS REDEEMED

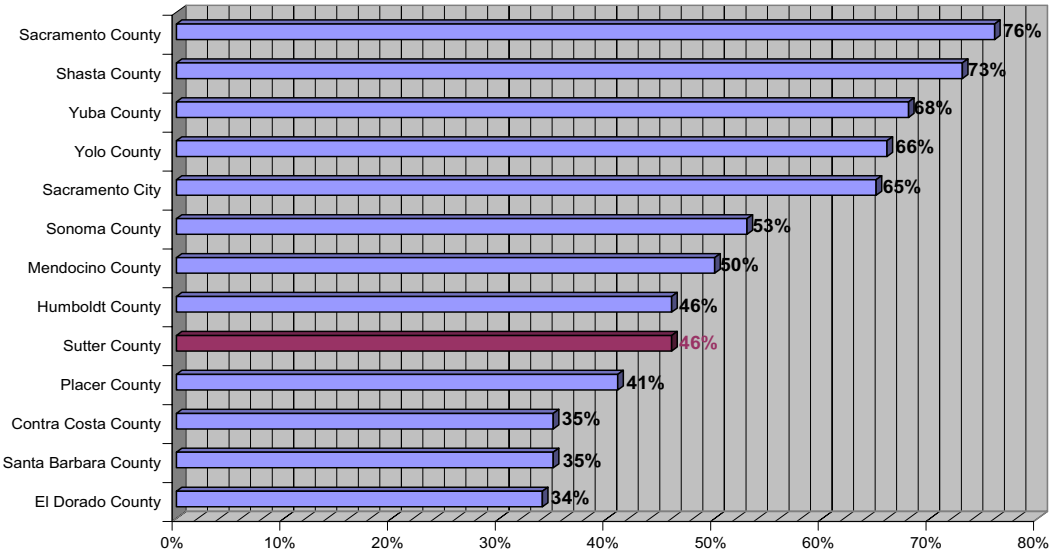


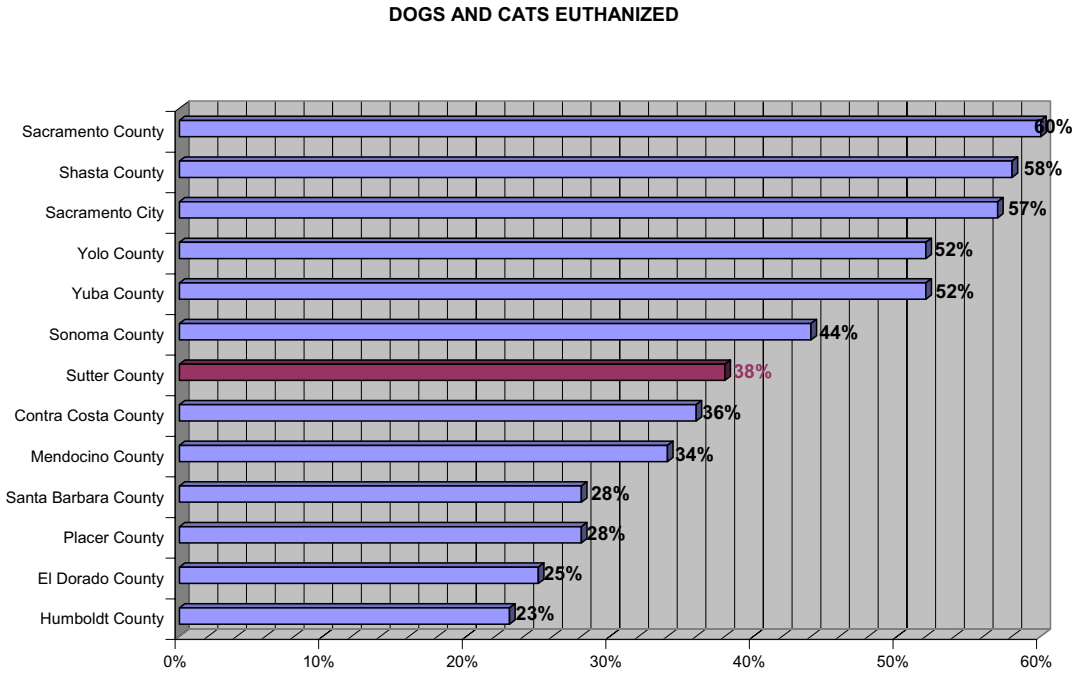
Again, we generally see a difference between urban and rural areas for dog redemptions. Sutter County has relatively high redemption and board fees. Some dog owners may be opting to not reclaim the dog and instead replace the animal rather than pay the fees. We are puzzled by Sacramento County and City having relatively low dog redemption rates. Cat redemption differences are statistically insignificant.

DOGS EUTHANIZED



CATS EUTHANIZED





Sutter County is doing a credible job of minimizing dog and cat euthanasia. Those agencies with better statistics have much greater resources than does the Animal Control Division. One benefit the County enjoys is a relative lack of competition from other sources of animals. Yuba-Sutter SPCA gets a significant portion of their adoptable animals from the Sutter and Yuba County shelters. We again must emphasize that long-term sustainable reductions in the number of animals euthanized must primarily rely on increased spay/neuter of companion animals. We explore this topic in detail in the following section.

SECTION VI—SPAY/NEUTER: GETTING AT THE PET OVERPOPULATION PROBLEM

The purpose of a spay/neuter program is to reduce the number of companion animals that are euthanized in a community through surgical sterilization.

WHY IS THIS IMPORTANT?

The reproductive capacity of dogs and cats far exceeds that of humans. The Humane Society of the United States has calculated that one female dog and her progeny can produce more than 67,000 offspring in seven years. One female cat can produce more than 430,000 [1]offspring. No, these are not typographical errors. The numbers represent a maximum that is not attainable because it is based on the assumption that all animals in a population can and do breed to their maximum biological capacity and live long enough to reach their reproductive potential. However, the breeding potential gives some idea of the magnitude of the problem facing animal control agencies.

Simply put there are more animals than available homes. Increasing the number of adoptions and owner redemptions while important will not significantly impact the euthanasia rate unless the inflow of animals is reduced.

PET OWNERSHIP STATISTICS[2]

Dogs

- There are approximately 65 million owned dogs in the United States
- Thirty-nine percent of U.S. households (or 40.6 million) own at least one dog
- Most owners (65 percent) own one dog
- Twenty-three percent of owners own two dogs
- Twelve percent of owners own three or more dogs
- On average, owners have almost two dogs (1.6)
- Slightly more male dogs are owned than female dogs
- Eighteen percent of owned dogs were adopted from an animal shelter
- Seventy-two percent of owned dogs are spayed or neutered.

[1] HSUS Web Site http://www.hsus.org/pets/issues_affecting_our_pets/pet_overpopulation_and_ownership_statistics/hsus_pet_overpopulation_estimates.html

[2] *American Pet Products Manufacturers Association (APPMA) 2003-2004 National Pet Owners Survey.* Via HSUS Web Site http://www.hsus.org/pets/issues_affecting_our_pets/pet_overpopulation_and_ownership_statistics/us_pet_ownership_statistics.html

Cats

- There are approximately 77.6 million owned cats in the United States
- Thirty-four percent of U.S. households (or 35.4 million) own at least one cat
- One half of cat-owning households (51%) own one cat; the remaining own two or more
- On average, owners have two cats (2.2)
- Slightly more female cats are owned than male cats
- Sixteen percent of owned cats were adopted from an animal shelter
- Eighty-four percent of owned cats are spayed or neutered.

EUTHANASIA RATES

The Humane Society of the United States estimates that between 3 and 4 million dogs and cats are euthanized in animal shelters each year.[3] In Sutter County, 542 dogs and 981 cats were euthanized during calendar year 2006.[4] 29 percent of dogs and 46 percent of cats brought in to the shelter are euthanized.

Reducing the number of animals euthanized in a community's public shelter requires a multi-faceted approach. The following components are essential:

- Spay neuter program
- Public education program
- Adoption program
- Animal redemption program that reduces the number of animals returned to the shelter.

Public education, animal adoption and animal redemption are addressed in other sections of this report. This section will focus on spay/neuter but will also include public education and how this program can be utilized to increase the number of animals sterilized in Sutter County.

We will address:

- The County's legal obligations
- What the Animal Control Division is currently doing relative to spay/neuter
- What other organizations in the county are doing relative to spay/neuter
- Chemical sterilization
- Best practices utilized in other jurisdictions
- Strategies for increasing the number of spay/neuter surgeries

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[3] HSUS Web Site http://www.hsus.org/pets/issues_affecting_our_pets/pet_overpopulation_and_ownership_statistics/hsus_pet_overpopulation_estimates.html

[4] Sutter County Animal Control Division data

- Current legislative efforts relative to mandatory spay/neuter.

WHAT ARE THE COUNTY'S LEGAL OBLIGATIONS?

AB 1856 (Vincent) added provisions to the Food and Agriculture Code that requires that all dogs and cats be spayed/neutered before a public animal shelter or humane society sells or other wise transfers ownership of the animal to a citizen. The law provides an exception to this requirement for animals that are too sick or injured and in counties that have a population of less than 100,000. In both of the above instances the entity selling or otherwise transferring ownership must collect a deposit of not less than $40.00 or more than $75.00 to be refunded when proof of spay/neuter is provided to the entity selling or other wise transferring ownership. The law also provides for the collection of a fine if the new owner of the animal does not follow through with having the animal spayed/neutered.

The exemption for counties that have a population of less than 100,000 is terminated January 1 of the year following the year in which the population exceeds 100,000. Sutter County's population is expected to exceed 100,000 in 2011. (The full text of the applicable Food and Agriculture Code sections are set forth in the Appendix.)

WHAT IS THE ANIMAL CONTROL DIVISION DOING TO PROMOTE SPAY/NEUTER?

Shelter Animals

Sutter County is complying with the above noted Food and Agriculture Code Sections through utilization of a deposit of $40.00 for dogs and cats. There were 600 dogs and 456 cats adopted from the shelter during 2006. In 2005-06 $29,777 in deposits were taken and $16,862 were redeemed and $12,915 were forfeited. The animal Control Division collected $7,795 in fines from those individuals who did not follow through with having their animal spayed/neutered. The number of animals adopted includes a large number of animals released to non-profit rescue groups who are not charged the $40 deposit fee. Amounts collected should be divisible by $40. The Division is looking into what could be causing this discrepancy.

The Division tracks the individuals from whom deposits are taken and encourages them to have the animal spayed/neutered by following up with first class mail and phone calls. As time allows, additional contacts are made with those who have not completed the spay/neuter surgery. If necessary, an Animal Control Officer will be sent to the residence to make a follow-up contact. This follow-up has been inconsistent due to other workload and staffing.

OTHER COMMUNITY SPAY/NEUTER PROGRAMS

The only low cost spay/neuter program in Sutter County is run by the Yuba Sutter SPCA. This 501(c)(3) non-profit organization is located at 745 Sutter St. II Yuba City. They offer low cost dog and cat sterilizations and vaccinations. The fees charged are noted in the following table:

Species	Fee
Cats	
Spay	$25.00
Neuter	$15.00
Dogs	
Spay 0 - 30 lbs	$40.00
Spay 31 - 50 lbs	$50.00
Spay 51 - 70 lbs	$65.00
Spay 71 - > lbs	$85.00
Neuter 0 - 40 lbs	$35.00
Neuter 41 - 60 lbs	$45.00
Neuter 61 - 80 lbs	$60.00
Neuter 81 - > lbs	$75.00

Sutter County has a good working relationship with the SPCA. Cooperative efforts in support of the SPCA's spay/neuter program are minimal due to a lack of financial resources and low staffing.

CHEMICAL STERILIZATION

A chemical method of sterilization has recently been approved that has the potential of assisting public shelters in their quest to spay/neuter the maximum number of animals. The drug Neutersol was recently approved by the Food and Drug Administration (FDA).

The positives of using Neutersol are:

1. Possibly eliminates the need for time consuming invasive surgery
2. Does not involve the removal of the testicles thus leaving the animal still looking like an intact male (A desirable outcome for some owners)
3. Low level of complications if properly administered
4. Has proven to be 99.6 percent effective in clinical trials.

The negatives of using Neutersol are:

1. It is now only approved for a narrow age range (3 to10 months)
2. Only available for dogs
3. The dog's neutering cannot be confirmed by visual observation
4. The actual effectiveness of the injection is not verifiable (you will not know, without laboratory analysis if the dog is in fact sterile)

5. The reduction in testosterone may not be enough to eliminate male aggressive behavior
6. Current expense is no less than surgery
7. Takes 60 days to work
8. Does not kill sperm already in the body at the time of injection.

If the FDA approves Neutersol for a wider range of ages and the manufacturer is able to come up with a visual means of determining if the procedure has been performed (dye injection), its use in a public shelter environment should be seriously considered.

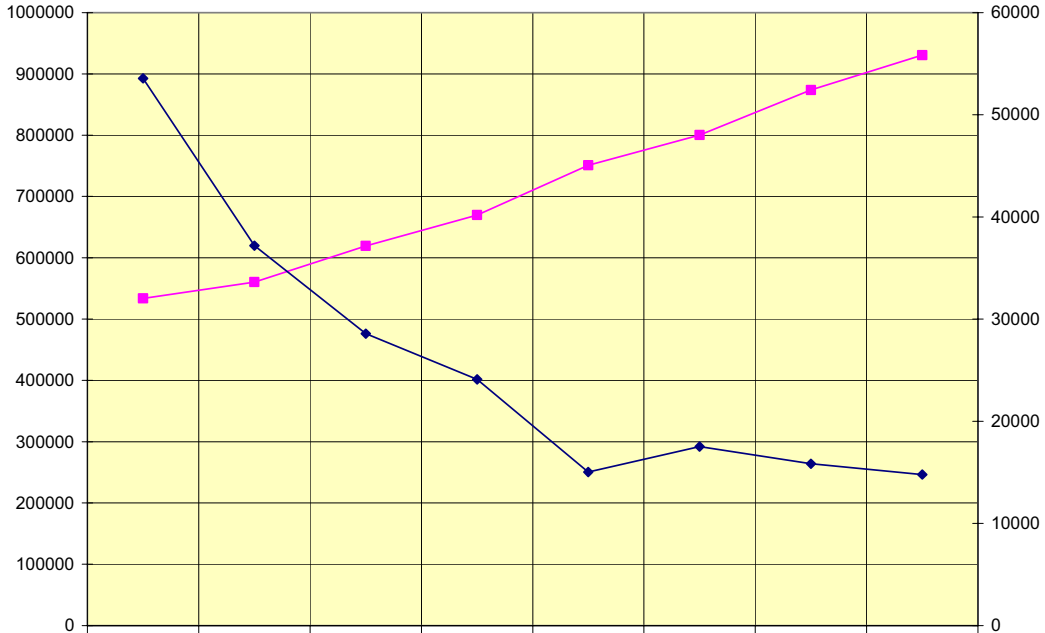
BEST PRACTICES UTILIZED IN OTHER JURISDICTIONS

The most effective spay/neuter programs utilize several strategies to maximize the number of spay/neuter surgeries performed in a community. For example, Contra Costa County combines a low-cost spay/neuter clinic, education program, cooperative relationships with non-profits and the veterinary community to lower the number of animals euthanized in the County's shelters annually.

Contra Costa County has integrated its animal control programs. The County has service contracts with all but one of the County's 19 cities. The Contra Costa County Animal Services Department has operated a low cost spay/neuter clinic since 1977 and a public education program since 1981.

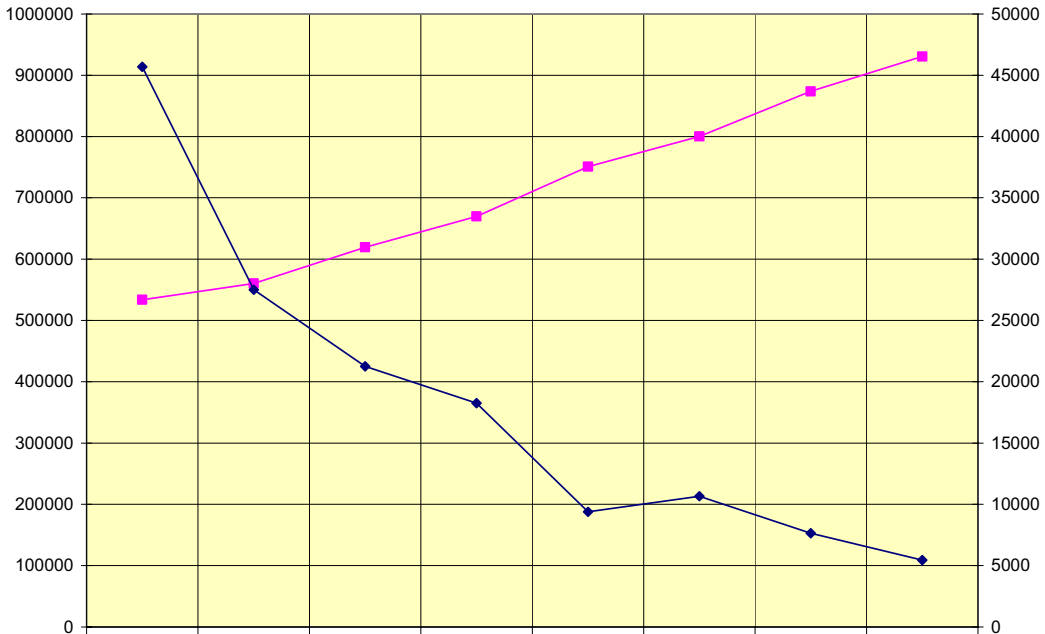
From 1971 to 2006, the number of animals impounded decreased from 53,570 to 14,780 and the number of animals euthanized decreased from 45,689 to 5,451 while the human population increased from 533,800 to 930,570. The human population increased 74 percent but the number of animals impounded decreased by 72 percent and animals euthanized decreased by 88 percent. These changes are depicted below.

POPULATION AND ANIMAL INTAKES 1971-2006



	1971	1976	1981	1986	1991	1996	2001	2006
Population	533800	560550	619400	669900	750800	800100	873620	930570
Animals Impounded	53570	37193	28568	24103	15025	17513	15837	14780

POPULATION AND ANIMALS EUTHANIZED 1971-2006



	1971	1976	1981	1986	1991	1996	2001	2006
Population	533800	560550	619400	669900	750800	800100	873620	930570
Animals Euthanized	45689	27500	21262	18257	9383	10655	7639	5451

In 1975, concerned citizens approached the Board of Supervisors relative to building and staffing a spay/neuter clinic. These initial efforts were not successful. These citizens formed a non-profit organization named S.P.A.Y. (Stop Pets Annual Yield) to raise money for a spay/neuter clinic. By 1977, they had raised enough money to purchase and equip a "doublewide" mobile home as a clinic. They proposed giving the clinic and equipment to the County if the County would administer the program. The Board of Supervisors accepted this offer and the Clinic began operations in 1977.

The Contra Costa County Spay/Neuter Program is focused on providing low-cost spay/neuter and vaccination services to all of the citizens of Contra Costa County. There are no income requirements. The Clinic provides spay/neuter surgery service Monday through Friday. Vaccinations are provided Monday through Saturday. All revenue generated at the clinic is credited to the Clinic. Rabies vaccination and a current dog license are required. Non-profit groups are accommodated relative to scheduling but no discounts are provided.

Contra Costa County's Spay/Neuter Program has been instrumental in helping reduce the number of unwanted animals in the community. Non-profits have collaborated with the County on various spay/neuter promotional efforts. The Contra Costa County Humane Society, which was an outgrowth of the original S.P.A.Y. organization, has offered discount coupons at various times and has assisted with paying for clinic renovations and equipment upgrades. Tony LaRussa's Animal Rescue Foundation has collaborated with the County to utilize other community resources relative to spay/neuter.

Initially a controversial program, the Spay/Neuter Clinic is now accepted as an essential factor in reducing the number of companion animals euthanized in the County. The clinic is also recognized as an essential preventive program that reduces the amount of space required to house unwanted animals.

Education Program

The Contra Costa County Animal Services Department has operated a public education program since 1981. The program was initially run by an Animal Control Supervisor as part of his regular assignment. Primary emphasis was on school presentations and talks given to service clubs and public agencies relative to safety around animals. The program was expanded to include humane education and spay/neuter information. This expansion was made possible by using volunteer staff from the Contra Costa County Humane Society. The Education Program was later expanded and a part-time Humane Educator was hired to manage the program. The program manager was responsible for curriculum development and the training of Animal Services staff and volunteers to give school and other presentations. This position has recently been expanded to full-time and a 20/40 part time position has been added.

If an agency builds a spay/neuter clinic, it does not follow that the public will rush to use its services. The spay/neuter program needs to be treated as a business where a successful outcome is not annual profit but is instead measured by the number of spay/neuter surgeries performed annually. Viewed in this way, it is apparent that a business plan needs to be developed and an advertising strategy implemented that will maximize the utilization of available spay/neuter resources within Sutter County.

Part of this strategy needs to include educational programs conducted in the County's schools.

When school children are provided with information relative to the value of animals and an early knowledge of spay/neuter, the spay/neuter of animals will become more accepted and more prevalent. The result is fewer homeless animals and fewer public resources needed for their care.

While we have used Contra Costa County in the above example, other agencies have achieved similar results using different strategies. Some spay/neuter programs rely primarily on the utilization of local veterinary resources; others have formed a cooperative relationship with local nonprofit organizations. Listed below are several different methodologies for increasing the number of spay/neuter surgeries in a community.

STRATEGIES FOR INCREASING THE NUMBER OF SPAY/NEUTER SURGERIES

Best Friends Animal Society lists a variety of successful spay/neuter programs in its publication: **Nine Model Programs for Highly Successful Spay/Neuter**[5]. These programs are:

- **Partnership with Veterinary Medical Technician School** Description of Program: The program partners with humane organizations in three counties to offer free surgery for shelter animals and for qualified low-income pet owners. **Best Friends Animal Society, Perrysburg Ohio**
- **Volunteer Vets (In Vet Clinic),** Description of Program: Callers to a community hotline are screened for clinics and/or sponsor program. Clinics use an existing vet hospital but they bring their own equipment and supplies. For sponsor programs, vets are paid to sterilize feral cats and provide post-op vaccines and medications. Caregivers can go to a participating vet only if a reservation has been made. **Best Friends, Los Angeles, California**
- **Mash-Style Clinic,** Description of Program: They set up in the auditorium of a school that is an animal sciences career center or in a vet tech school. They sterilize 70 cats per month with volunteer vets and bring all the necessary equipment. They also provide transportation. **Best Friends Animal Society, Toledo, Ohio**
- **Mobile Clinic,** Description of the Program: They target lower-income citizens by parking in locations that are most accessible to them. They do not screen except on the one day per week that surgeries are sponsored by the city. (The city only pays for surgeries of animals owned by people who live in certain neighborhoods.) **Emanci-Pet Spay Neuter Clinic, Austin, Texas**
- **Voucher Program (Public)** Description of Program: Individuals who qualify receive vouchers for use with local vets low-income and adopters from shelters. Four-part application. Provide proof of eligibility by Medicaid and 6 others. **Animal Population Control Program, Concord, New Hampshire**
- **Voucher Program (Private)** Description of Program: There are several "sub" programs: "Certificates" for low-income people to use at participating vet of their choice; "Fix the Mamas" program, where anyone surrendering juveniles to the

[5] Best Friends Animal Society http://www.bestfriends.org/nomorehomelesspets/pdf/spayneuterprograms.pdf

shelter can get the mother animal fixed for free; the "Spay Shuttle," which transports animals belonging to low-income people or animal rescue agencies to low-cost spay/neuter clinics. **Spay/Neuter All Pets Inc. Louisa, Virginia**

- **Litter Patrol** Description of Program: Puppies and kittens are taken into the adoption program, on the condition that the adult animals are spayed/neutered. Open to anyone with puppies/kittens. If there is no room in the adoption program, and no other rescues are available, they offer spay/neuter of puppies and kittens at 8 weeks, and the owners can adopt them out or place them**. Planned Pethood, Toledo, Ohio**
- **Stationary Clinic** Description of Program: Low-cost clinic open to the public. Specializes in pediatric spay/neuter. Low-income individuals with proof of public assistance qualify for $15 spay/neuter. Rescue groups/shelters receive discount for spay/neuter before adoption. Individuals must provide proof of public assistance. Rescues and shelter animals must be spayed/neutered before adoption**. Project Spay/Neuter, Cumming, Georgia**
- **Shuttle for Spay/Neuter** Description of Program**:** They work with shelters and rescue groups to provide transport and spay/neuter for animals from 20 counties in North Carolina. They also allow people in the community to call them directly and make appointments for surgery. They travel a 120-mile radius to pick up and drop off animals. No [income] restrictions but they primarily serve low-income people. They survey at least 10 percent of their clients every year – 88 percent of their clients have never taken their pets to the vet.

Mobile Spay/Neuter Clinics

Mobile spay/neuter clinics are not widely utilized by public agencies. There are several reasons for this:[6]

- Initial cost of the vehicle: $100,000-$400,000
- Unproductive time to travel to and from the deployment
- Limited space for pre-surgery animal preparation
- Limited space for animal recovery
- Vehicle is subject to down time because of mechanical problems
- Deployments take staff away from the shelter
- More surgeries can usually be performed at a static clinic in the amount of time the mobile clinic is deployed.

Some considerations to be explored before adopting a mobile clinic program for a community would be:[7]

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[6] http://www.maddies.org/organizations/org_pdf/mobile_sn.p
7 Shelter Management Issues, Mobile Spay Neuter Clinics P 7
http://www.maddies.org/organizations/org_pdf/mobile_sn.pdf

- Are there existing community clinics/services that could be more fully utilized?
- What impact will a mobile clinic have on community veterinary relationships?
- How much of the problem will it solve?
- Are there other options that are easier, quicker, cheaper and just as effective?

Even if a mobile clinic were given to the County it would need to be staffed with a veterinarian. Veterinarians that are willing and able to do this type of surgery are in short supply throughout California.

What works in other jurisdictions will not necessarily work in Sutter County. However, in the course of our examination of this issue it became apparent that the following are worthy of further study:

- Greater efforts relative to coordination of existing resources (public and private) has the potential to increase spay/neuter in the community.
- The spay/neuter clinic of the Yuba-Sutter SPCA and County resources and potential future assistance should be thoroughly studied relative to further cooperative efforts.
- A shuttle program should be studied relative to its possible effectiveness in the community. One of the primary reasons given for not having an animal spayed/neutered is inconvenience.
- Efforts to secure the participation of local veterinarians participating in Low Cost Spay-Neuter cooperative programs should be undertaken.

Current Legislative Efforts Relative to Mandatory Spay/Neuter

Animal activists have for some time lobbied for a state-wide law requiring the mandatory spay/neuter of all dogs and cats. Assemblyman Levine introduced AB 1634 during the current legislative session. This bill required any four month or older dog or cat to be spayed or neutered and provides for a $500 fine for non-compliance. Exemptions included show and hunting dogs, law enforcement, search and rescue, service, signal and guide dogs and dogs/cats too old, or in poor health. This legislation also required animal control agencies to establish a breeding exception permitting program and requires, to the extent that funding is available pursuant to the provisions contained in the Bill, a local animal control agency to establish a free and low-cost spay and neuter program for low-income individuals, and required the local animal control agency to make outreach efforts to inform qualified persons about these programs.

The Bill passed the Assembly on June 6, 2007 by a vote of 41 to 38 and had its first reading in the Senate on June 7, 2007. The bill was re-referred to the Committee on Local Government and was set for hearing on July 11, 2007. This legislation had the support of the California Animal Control Directors Association, the California State Humane Association, the California Veterinary Medical Association and virtually every animal welfare organization in California. It was opposed by virtually every dog and cat breeding association in California. Of particular interest to counties and cities is that this legislation created another State mandated local program with no accompanying State funding. This bill was pulled by its author on July 11, 2007.

Amendments were offered, but not accepted by the Senate Local Government Committee, to have the bill apply only to problem dogs. This bill will probably be reintroduced in 2008.

Spay/Neuter Summary

Spay/neuter is one of the most important components of a successful animal control program. It is a certainty that if the birth rate of dogs and cats is not controlled, the problems associated with pet overpopulation in Sutter County will worsen.

The International City/County Management Association recommends a three-part strategy for a successful community wide spay/neuter program. This approach combines the mandatory sterilization of animals adopted from shelters, government subsidized clinics and programs and legislative efforts to mandate or significantly encourage the sterilization of animals.[8] Sutter County is complying with current State law relative to collecting deposits for spay/neuter when an animal is adopted. Limited resources and low staffing have made additional efforts in this area a low priority.

Good programs must be well managed and supported for them to be successful. Therefore, we recommend the following to improve the delivery of spay/neuter service by the Animal Control Division:

Recommendation VI-1: Expand existing countywide spay/neuter programs.

The most effective way to lower the euthanasia rate of companion animals in Sutter County is synonymous with the most effective way of reducing long-term public expenditures on Animal Control – namely initiate a community-wide spay/neuter program and thus reduce the number of unwanted animals. While enhanced adoption programs will help increase the adoption rate, there will always be an imbalance, relative to the number of animals needing homes, to the number of humans desiring companion animals if the current reproduction rate is not reduced.

Recommendation VI-2: Establish/extend relationships with local non-profit groups.

The reduction of companion animal euthanasia is not a problem government can solve without the ongoing participation/partnership of the non-profit animal community, local veterinarians and concerned citizens of Sutter County. The non-profit community can be an invaluable asset and can help the County attain the goal of lowering the euthanasia rate.

Recommendation VI-3: A shuttle program should be studied relative to its possible effectiveness in Sutter County.

This model has been successful in other communities. One of the most cited factors for not having an animal spayed/neutered is inconvenience.

Recommendation VI-4: Conversations should be initiated between the County and the Yuba-Sutter SPCA relative to the effective utilization of the resources of the two agencies.

[8] Animal Control Management, International City County Management Association, Geoffrey L. Handy, 2001, P 33

CITYGATE ASSOCIATES, LLC

The SPCA can be a willing ally and partner in a county-wide effort to reduce the number of animals killed at the County shelter.

Recommendation VI-5: **More closely monitor spay/neuter deposit follow-up actions.**

An employee should be assigned this responsibility and management should monitor this activity on a monthly basis. The status of un-redeemed deposit certificates should be noted on monthly, quarterly and annual Division reports.

Recommendation VI-6: **Implement an outreach and advertising program to inform citizens of available spay/neuter programs.**

Recommendation VI-7: **Consider targeting low-income residents for spay/neuter financial assistance.**

Recommendation VI-8: **Make provisions for complying with existing state law when Sutter County's population exceeds 100,000.**

Recommendation VI-9: **Monitor AB 1624 (Levine) if it is reintroduced and be prepared to comply with its provisions.**

Recommendation VI-10: **Contact Maddie's Fund to explore the possibility of establishing a partially funded joint public-private spay/neuter effort. (http://www.maddiesfund.org/)**

Maddie's Fund has helped communities across the country in their efforts to reduce the euthanasia of companion animals. Grants are available as well as valuable consultation and advice relative to ways to reduce a community's euthanasia rate. Participation of the non-profit community is usually a prerequisite. Therefore, the collaboration with community non-profits as noted above is essential.

ADDITIONAL READING

Low Cost or Free Spay-Neuter Programs in the United States

http://www.lovethatcat.com/spayneuter.html

Nine Model Programs for Highly Successful Spay/Neuter

http://www.bestfriends.org/nomorehomelesspets/pdf/spayneuterprograms.pdf

Shelter Management Issues, **Mobile Spay Neuter Clinics, Maddie's Fund**

http://www.maddies.org/organizations/org_pdf/mobile_sn.pdf

SECTION VII—PUBLIC EDUCATION AND OUTREACH

This section provides an assessment of the Sutter County Animal Control Division's Public Education and Outreach.

PUBLIC EDUCATION

This is perhaps the Division's weakest program. However, that comment would also apply to many other animal control programs in California. Our comments and the recommendations that follow are offered as examples of "best practices" and are not meant to be critical of the current state of public education and outreach in Sutter County.

The Division lacks a comprehensive and well-organized community education program. The Division participates with the Yuba-Sutter SPCA on various programs. Division staff do some school presentations and occasionally speak at service club meetings (Rotary, Lions, etc.). Specific community education objectives have not been established to measure the effectiveness of the program. Education efforts have not been monitored and evaluated on a regular basis to determine their effectiveness. **Lack of staffing hampers the Division's efforts in this area.** Citygate will outline components of an effective education and outreach program. However, there needs to be a commitment on the part of the County and cities to work with the Division, inclusive of supplying additional resources, if these programs are to be successfully implemented and sustained.

OUTREACH

Coordination with other organizations concerned with animal welfare could be improved. Little advantage has been taken of utilizing the print and broadcast media to inform the public of animal services and issues. The Division could enhance its image by making more extensive use of press releases, public service announcements and formalizing its relationships with the media.

Improving and Expanding the Education Program

The Animal Control Division's lack of significant accomplishment in this area is partially due to a lack of resources. We believe that education efforts need to be focused on these primary areas:

1. Safety Around Animals - Bite Prevention
2. Responsible Pet Ownership
3. Humane Education
4. Community Public Information.

Safety Around Animals - Bite Prevention[1]

Why is this important?

Last year 352 people were bitten by animals in the service area of the Animal Control Division. Safety Around Animals means not taking chances with unfamiliar or unfriendly animals. Most animals seem friendly and harmless. Yet every year in the U.S., animals:

- Bite over a million people, at least half of them children
- Seriously injure thousands of people
- Kill about 17 people.

Most biting incidents involve dogs. However, any kind of animal is potentially dangerous. More likely than not, most people's job or a favorite recreational activity will bring them in contact with an unfamiliar or unfriendly animal at some time. Citizens can protect themselves and others by knowing how to:

- Recognize the warning signs of aggressive animal behavior
- Avoid or prevent an animal attack
- Defend themselves, if attacked.

Who is at risk of being attacked by an animal?

Almost everyone is at one time or another, but especially:

- Animal control/shelter personnel
- Bicyclists
- Cable TV and repair personnel
- Delivery personnel
- Joggers
- Law enforcement personnel
- Mail carriers
- Meter readers
- Newspaper carriers
- Pedestrians.

Safety Around Animals should be a primary component of an Education Program. Bite prevention is primarily taught in the schools, but the program should also be made available to the U.S. Postal Service, PG&E, UPS, FedEx, home owner associations, etc.

[1] A Scriptographic Booklet by Channing L. Bete Co., Inc., South Deerfield, MA 01373 U.S.A.

Responsible Pet Ownership

Why is this important?

This program focuses on the proper care of pets and the need to spay/neuter dogs and cats to prevent pet overpopulation. It is almost exclusively a school-based program but can also be presented to youth-based organizations, for example, Boys and Girls Clubs, scout troops, summer youth programs etc. Irresponsible individuals letting their animals roam and their failure to have them spayed/neutered primarily cause the pet overpopulation problem. Some attitudes, once ingrained, are hard to change. Therefore, early introduction of these concepts is crucial if a change in the community's perception of animals is to occur.

Humane Education

Why is this important?[2]

Violent acts toward animals have been recognized as indicators of a dangerous psychopathy that does not confine itself to animals. Animal abuse is an early warning sign of potential future antisocial behavior. Humane education can be an important part of a child's education, as it has the potential to reduce violence and builds moral character in the following ways:

- Empowering students to take responsibility for their actions.
- Helping students to apply the concepts of respect and kindness toward animals in their own lives.
- Inspiring students to become active participants in helping animals and people.

Public Support:

- According to the Character Education Partnership, various studies indicate that more than 90 percent of Americans support the teaching of character traits in schools. [3]
- A 2001 survey, commissioned by The Humane Society of the United States, noted that nine of ten Americans believe that lessons about kindness to animals and responsible pet care should be part of schools' efforts to encourage good character.[3]

Government Support:

- In 1997, the U.S. Department of Education awarded nearly $2.8 million to 12 states to develop programs to teach values.[3]
- By 2002, federal grants had increased to nearly $16.7 million, awarded to 39 states.[3]

[2] http://www.teachkind.org/humaneEducation.asp
[3] http://www.hsus.org

State Efforts:

- Fourteen states mandate character education through legislation: Alabama, Arkansas, California, Florida, Georgia, Indiana, Nebraska, New York, North Carolina, South Carolina, South Dakota, Tennessee, Utah and Virginia.[3]
- Fourteen states encourage character education through legislation: Arizona, Colorado, Iowa, Kentucky, Louisiana, Maine, Maryland, Mississippi, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, and Texas.[3]

The Humane Society of the United States is an excellent resource for this program. They can provide program guidance and written material in support of local programs.

The State Education Code Section 233.5 states:

"Each teacher shall endeavor to impress upon the minds of the pupils the principles of morality, truth, justice, patriotism, and a true comprehension of the rights, duties, and dignity of American citizenship, and the meaning of equality and human dignity, including the promotion of harmonious relations, kindness toward domestic pets and the humane treatment of living creatures, to teach them to avoid idleness, profanity, and falsehood, and to instruct them in manners and morals and the principles of a free government."

How to Get Started

With all of the workload issues and other areas of concern relative to improving the Animal Control Division, how should the Division proceed?

1. Recognize the importance of the programs and concepts.
2. Familiarize key staff with the issues. (See the resources noted below)
3. Designate the person who is to move the program forward. (In an agency the size of Sutter County, this may need to be the Supervising Animal Control Officer with assistance from County and/or Yuba City support staff).
4. Develop clear and attainable goals and objectives for the program.
5. Develop the curricula for the components of the program.
    a. Bite prevention
    b. Responsible pet ownership
    c. Humane education
6. Do not reinvent the wheel. There are many resources available from The H.S.U.S., TeachKind.org etc.
7. Recruit people that are interested in being presenters. Be selective. They need to teach your program, not theirs.
8. Train these individuals.
9. Market your program. The schools in the community will embrace a well-designed and focused program.
10. Explore partnering with the Yuba-Sutter SPCA relative to sharing/purchasing materials etc.

Resources[4]

Listed below are some materials from TeachKind.org[5] that may prove useful. Also contact Contra Costa County; they may be able to offer some consultation advice on this subject.

Violence-Prevention Materials and Resources for Educators

Video and Curriculums

Title: Share the World
Suggested Age Range: Ages 8-10
Specifications: Six-page teachers' guide, 28-minute video, nine reproducible worksheets, and a 17"x22" full-color poster
Price: FREE; limit of one per educator/librarian

Title: Beyond Violence
Suggested Age Range: Ages 11-adult
Specifications: 21-page discussion guide, 13-minute video
Price: $19.95 plus shipping

Book

Title: AniCare Child: An Assessment and Treatment Approach for Childhood Abuse
Suggested Age Range: Ages 5-18; primary audience is educators and counselors
Specifications: 83-page booklet
Price: $24.95 plus shipping

Online Resources[6]

Making the Connection Fact Sheets
Fact sheets from HSUS tailored for particular professions including background information and action plans for recognizing and responding to animal cruelty.

For Social Service Workers
For Educators
For Concerned Citizens
For Humane Investigators
For Law Enforcers and Prosecutors
For Veterinary Professionals

Outreach Program

A well-developed public information program can: (1) make pet owners aware of their responsibilities; (2) increase public awareness of animal services; (3) inform the public that

[4] http://www.teachkind.org/violenceprevention.asp and http://files.hsus.org/web-files/PDF/First_Strike_Directory_2004.pdf
[5] http://www.teachkind.org/Lessons_and_Activity_Sheets.asp
[6] http://www.hsus.org/hsus_field/first_strike_the_connection_between_animal_cruelty_and_human_violence/download_first_strike_materials.html

animal laws will be enforced; and (4) sensitize the public to the importance of the humane treatment of all animals. In developing a public information and education plan, attention should be focused on identifying needs, setting objectives and measures, and developing appropriate strategies. This report and staff discussions can assist in need determination. Preparation of a limited number of objectives and measures will facilitate measuring the results of specific public information strategies. Some examples of possible objectives are:

- Preparation of information brochures on specific topics
- Distribution of brochures to particular audiences
- Preparation of press releases and suggestions for feature articles
- Delivering education programs
- Preparing articles to be included in the Appeal-Democrat
- The target for achieving the objectives could be the fiscal year to correspond to funds budgeted for information purposes
- Finally, specific strategies and their approximate costs should be developed using the general strategies noted below and others.

Public Information and Education Strategies

- Distribution of pamphlets and brochures
- Preparation of an annual report to the public
- Audio, video and print news releases
- Public service announcements
- Open houses and tours of the new shelter
- Special events sponsored in cooperation with other animal organizations, such as dog walks, pet of the week, adopt a shelter animal month, National Animal Shelter Appreciation Week, Dog Bite Prevention Week
- Web sites
- Speakers bureau
- School visitations
- Classes on obedience, dog training, animal behavior, pet health, pet care, etc.
- Information flyer providing basic information on the shelter location, phone numbers, hours, how to file complaints and services
- Posters for placement in pet stores, veterinary offices and other locations
- Poster contests in the schools
- Recorded messages
- Paid advertisements
- Utility bill inserts

- Videos
- Presentations to civic and other community and neighborhood groups
- Distribution of a newsletter with license renewals
- Reprints of articles and information prepared by other humane organizations such as the Humane Society of United Sates, National Association for Humane and Environmental Education, American Humane Association, American Society for the Prevention of Cruelty to Animals
- Appearance on local radio and TV talk shows
- Animal trading cards with photos and information about licensing, bite prevention, adoption and spaying/neutering
- Letters to the editor
- Promotion on retail store bulletin boards
- Display of placards on public transportation, benches and bus stops
- Community access television
- Newsletters
- Staff participation in neighborhood events. Put up a booth or display and distribute materials and answer questions.

One technique that is especially effective is the preparation of information brochures on such topics as adoptions, licensing, complaint processing and pet owner responsibilities. Staff input should be sought in identifying and prioritizing topics.

In many cases, there is no need to reinvent the wheel since The Humane Society of the United States and other organizations offer a wide selection of attractive and informative brochures for purchase. Another excellent source is information materials prepared by other animal service agencies.

Distributions to businesses, libraries, schools and professional office waiting rooms are just a few examples of available methods to place this material in areas where the public is likely to read it. Distribution by the Animal Control Officers to people they contact and as door hangers is an effective approach. Information racks at the shelter and other public offices can also be helpful.

Funds committed to public information and education offer an opportunity to reduce costs associated with impoundment, including the need to expand shelter facilities. Another benefit is the potential for additional licensing revenues.

Continual evaluation of the public information program is essential to determine its effectiveness in cost/benefit terms. One type of evaluation is to solicit feedback from readers of printed materials and those attending education programs and other presentations. Another method is to monitor the impact of the program on increases or decreases in the number of adoptions, strays, altered pets and licenses issued. Finally, statistics on the number of people attending presentations and information materials distributed should be collected and analyzed.

Extensive use should be made of news releases to promote adoption of animals, pet owner responsibilities, the importance of licensing and other services. News releases that are accompanied by photographs and practical information have a good chance of being used by the media. Human-interest stories such as pet rescues and cruelty investigations have considerable appeal. Local newspapers, radio stations and TV are always looking for interesting stories. Examples of stories that have appeared in local and national newspaper include: stray pet problem; how to get a pet; volunteer's help in pet selection; pets and disasters; pet theft and the dog squad. Most of the feature articles included photographs of pets.

A media kit should be prepared to inform the print and broadcast media of services provided and a description of the Division including budget, staffing and other relevant background information. A photograph of the shelter and its location should be included along with phone numbers and contact persons. Inclusion of fact sheets on adoption, licensing, animal laws and complaint handling is useful. Information on Division accomplishments should be included and statistics on strays, animals returned and licenses issued. Preparation of letters to the editor focusing on specific issues is an effective technique.

Media representatives should be invited to visit the new shelter for a briefing on the work of the Division and current animal issues. Suggestions for feature articles and short radio and TV spots should be developed. Newspapers, TV and radio are often looking for material to be used during slow news periods. Maintenance of a current mailing list of media contacts is important. Groups such as the United Way and the Public Relations Society of America may have local guides containing contact names, phone numbers and other important information about the local media. Releases should be distributed to media sources serving minority and non-English speaking audiences.

Many animal services organizations arrange with TV stations to display a dog or cat available for adoption on the evening news or supply photographs of pets available for adoption.

Creative public service announcements are another means of delivering a message. National animal protection organizations such as the Human Society of the United States, the American Humane Association and the American Society for the Prevention of Cruelty to Animals make available public service announcements.

One way to maximize limited resources in designing a public information program is to solicit the assistance of marketing, advertising, communication and public relations talent in the community on a *pro bono* basis. Such professionals can provide advice and assistance on graphics, design a logo, develop print ads, plan a campaign and other information and marketing strategies. Volunteers who have experience in writing, graphics, photography and other educational marketing and public relations skills should be recruited to assist in preparing materials and making presentations. An effort should be made to find a volunteer to serve as a public information coordinator and to train Division staff in public information and education techniques.

University public relations, marketing, communication and business faculty members are often interested in class projects to provide hands-on experience for students. Possible projects could include preparation of educational materials, focus groups, surveys, design of a public information strategy, organizing an advertising campaign and planning other creative ways of helping the Division to deliver its message.

Nonprofit foundations often provide funding for innovative educational campaigns. Advertising agencies may provide advertising space for public service messages. Commercial enterprises often sponsor educational print ads. Local foundations and trusts are a possible source of funding. Opportunities for funding joint ventures with other animal welfare agencies should be explored.

Community Relations

The Division has cooperative working relationships with the Yuba-Sutter SPCA and the Yuba County Animal Control Division. In addition to these organizations, the Division interacts with numerous breed rescue groups. The relationship with these organizations and groups is generally good. The non-profit animal community can be an invaluable resource that can and does assist the Division with the placement of animals. The Division and the non-profit animal groups should seek out areas of common understanding and purpose and strive to build on these relationships so as to further reduce the number of companion animals euthanized in the county.

No one who works for the Animal Control Division and with whom the study team met likes to kill animals. The people we have met want to do a good job and would welcome continued and enhanced participation of the non-profit animal community in significantly reducing the killing of companion animals in the County's shelter.

With public and legal attention drawn to the killing of companion animals in the state's animal shelters, local agencies and concerned non-profit groups are forming alliances to move beyond the traditional "come to the shelter" approach to animal adoption. Non-profit foster programs, outreach adoption efforts, mobile adoption, media advertising, the internet and interagency transfer of animals are all being used to increase the number of animals adopted from local public shelters. All of these strategies, particularly relationships with local animal-based non-profits, need to be developed and/or expanded. All of the communities' resources should be brought into play in order to reduce the number of animals euthanized.

The Animal Control Division has established cordial and productive working relationships with the Yuba-Sutter SPCA and many breed specific animal rescue groups. The Divisions website links to "Pet Harbor" which is a national animal adoption database. These relationships and efforts have helped the Division reduce the number of animals that must be euthanized. However, the Division should explore outreach adoption opportunities with non-profit animal welfare organizations.

Additional efforts that may prove helpful would be participation in the PetSmart adoption program, contacting the Marin Humane Society and Tony LaRussa's Animal Rescue Foundation to provide animals for these large non-profit organizations' animal adoption programs, working with the SPCA to do joint events, e.g. animal adoption events, working with the cities of Yuba City and Live Oak to include animal adoption and education information on the city websites, working with the "Appeal Democrat" to include a "pet of the week" section possibly in conjunction with Yuba County.

RECOMMENDATIONS TO IMPROVE PUBLIC EDUCATION AND OUTREACH

The following recommendations are made to improve the efficiency and effectiveness of the public education and outreach programs of the Sutter County Animal Control Division.

Recommendation VII-1: **Recognize the importance of a comprehensive public education/outreach program.**

Recommendation VII-2: **Make the establishment of the public education program a performance goal of the Community Services Department.**

Recommendation VII-3: **Develop an outline for the public education program to include attainable goals and objectives.**

Recommendation VII-4: **Meet with the County superintendent of schools to obtain his/her support and commitment for the public education program.**

Recommendation VII-5: **Develop a budget for the public education program.**

Recommendation VII-6: **Obtain Board of Supervisors approval of the public education program, its goals and objectives and financing.**

Recommendation VII-7: **Recruit and train public education program presenters.**

Recommendation VII-8: **The Supervising Animal Control Officer should meet with the leader of every group currently working with the Division and ascertain how the Division and the group can increase the number of animals released to these groups particularly hard to place older/large dogs.**

SECTION VIII—ANIMAL SHELTER REPLACEMENT

OVERVIEW

A primary motivation for many jurisdictions to undertake animal control building projects recently has been the enactment into California law of SB 1785 (Hayden). An analysis of this legislation is provided in Section II of this study. Enactment of this law has initially focused on the increased time which surrendered and stray animals must be held and the resultant cost increases that local jurisdictions will incur because of this change. However, a more important consequence of this law may be the general philosophy it contains as to how animals housed in public shelters are to be treated. Of primary interest are the sections that indicate that public animal shelters should be held to the same anti-cruelty statutes as private citizens and the general philosophy that public shelters should be required by law to take in lost animals and properly care for them with prompt veterinary attention, adequate nutrition, shelter, exercise and water. The law also sets as a State goal the elimination of companion animal euthanasia by 2010 and encourages both private non-profit and public agencies to work cooperatively toward that end.

Growing public support for improved animal control policies has resulted in significant organizational, service delivery and facility changes in Oakland, San Francisco, San Diego, San Jose, Santa Barbara County, Riverside County and Contra Costa County. Similar changes are also under way in San Mateo County, Sacramento County, Stanislaus County, Shasta County, Merced County, El Dorado County, Placer County and Sutter County. Concurrent with our society's heightened concerns and expectations relative to domestic animal care and control practices, it can be anticipated that Sutter County's continued growth will result in similar increased public demand for both improved physical conditions in the shelters as well as a lowering of the County's euthanasia rate.

Things You Need to Know About Animal Control Shelters[1]

An animal shelter needs to provide a healthy and appropriate environment for animals and staff that facilitates the goals of the organization. While these goals will vary from one community to another, the following should serve as a baseline:

- A safe, healthy environment to house lost animals until claimed by their owners.
- Adequate capacity for holding animals in a humane manner that promotes good health and prevents the transmission of contagious diseases. There is an important and direct relationship between a shelter's holding capacity and the well being and health of the shelter's animal population. A well-designed shelter will provide adequate space for protective custody, vicious animals, rabies quarantine and sick animals.
- Adequate mechanical and plumbing systems designed to maximize disease control as well as durable finish materials intended to withstand the rigors of daily cleaning with chemicals and hot water.

[1] Excerpted from San Joaquin County Regional Animal Control Shelter Study, George Miers and Michael G. Ross, November 2000

- A positive environment that minimizes stress levels for animals, employees, and visitors.
- Adequate animal support areas to ensure proper care. These include food preparation, laundry, grooming, examination and medical procedure rooms, behavior evaluation areas, food, laundry, and equipment storage areas, euthanasia rooms, vehicle maintenance and cleaning areas, etc.
- Adequate public-oriented components including spay-neuter clinics, education programs (classrooms and children-oriented learning areas) as well as more traditional adoption and redemption services.
- Adequate staff support areas. The need for staff to have proper break room areas, lockers and restrooms is of equal if not greater importance in an animal shelter than in many other work environments. Caring for incarcerated animals, many of which are ill and/or frightened, can be an extremely stressful experience, particularly when confronted on a daily basis. Furthermore, many employees initially seek out employment in animal shelters due to an inherent love for animals, only to be confronted with the stark reality of animal abuse cases, ongoing euthanasia, etc. In addition, the maintenance of shelters involves the unforgiving tasks of constant cleaning of urine and feces and the sterilization of kennels and cages to prevent disease transfer. While in the field, animal control officers are constantly exposed to both domestic and wild animals with unknown health conditions and, at times, a hostile public unsympathetic to their job responsibilities. All of these activities argue for well-designed locker/ shower/restroom areas as well as the need for hygienic staff lounges located in acoustically isolated areas.
- A responsive public environment that supports the following:
  - Adoption of companion animals
  - Education regarding animal care issues, including responsible pet ownership and other animal care issues
  - Redemption of lost animals
  - Surrender of unwanted animals
  - Animal licensing.

SHELTER TYPES

County and city decision makers typically have little or no experience relative to animal shelters and, as a consequence, can make decisions at the outset of a building project that may be based on incomplete knowledge. Decision makers should visit several shelters so that they can make informed decisions regarding a facility that will be an important part of the community for over 40 years.

There are three main shelter types being built today:

- State of the art shelters that are designed to support "best practices" in the animal

control and sheltering field. These shelters, exemplified by Mr. George Miers work, are typically all indoor facilities.

- New "traditional" shelters that are mostly larger versions of existing "designs" with a primary emphasis on dog holding and which omit or minimize: small animal holding, staff support areas, educational spaces, food preparation areas, socialization and dog exercise areas, and do not generally take advantage of best practices relative to disease control. These facilities typically use traditional "indoor/outdoor" dog kennels.
- Prefabricated shelters. These are similar to the traditional shelter relative to size, features and design and can be less costly to build than either of the above "standard" construction method shelters.

State of the Art Shelters

While not every project contains all of these features, the execution of these elements in the design of a modern shelter provides for the following building components:

Entrance





Adoption Gallery





Open Spacious Public Counter Areas







Small Dog Holding Areas to Minimize Noise



Public Friendly Cat Adoption Areas



Sanitary Food Preparation Areas



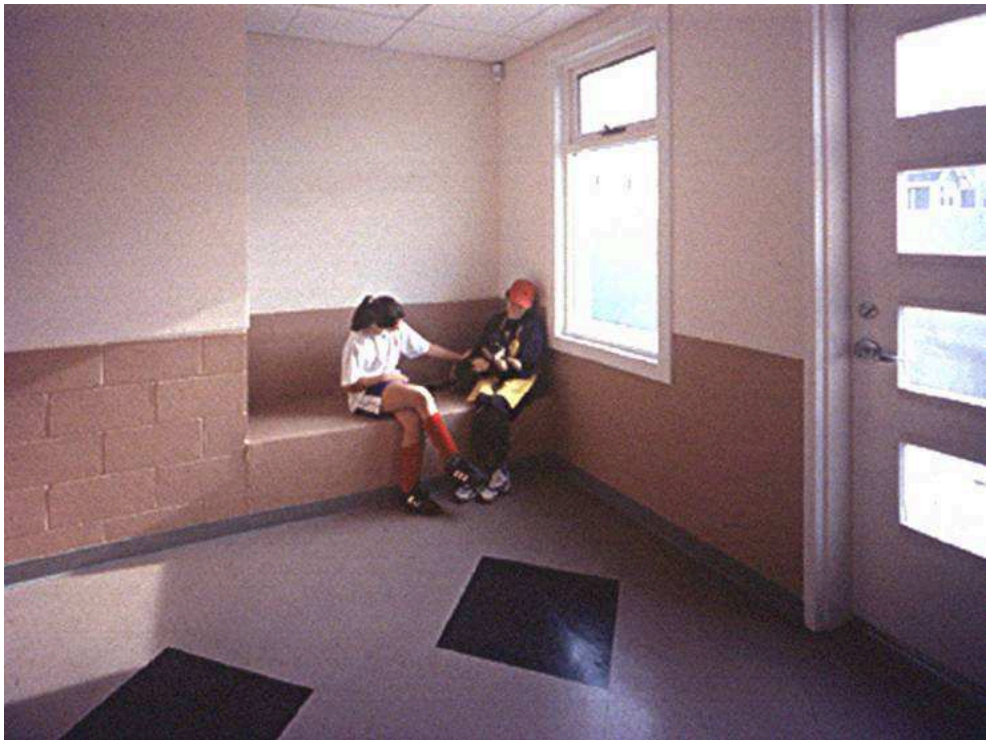
Centralized Cleaning Systems for Staff Efficiency



Covered Drains and Epoxy Rosin Covered Floors for Disease Control and Ease of Cleaning and Longevity

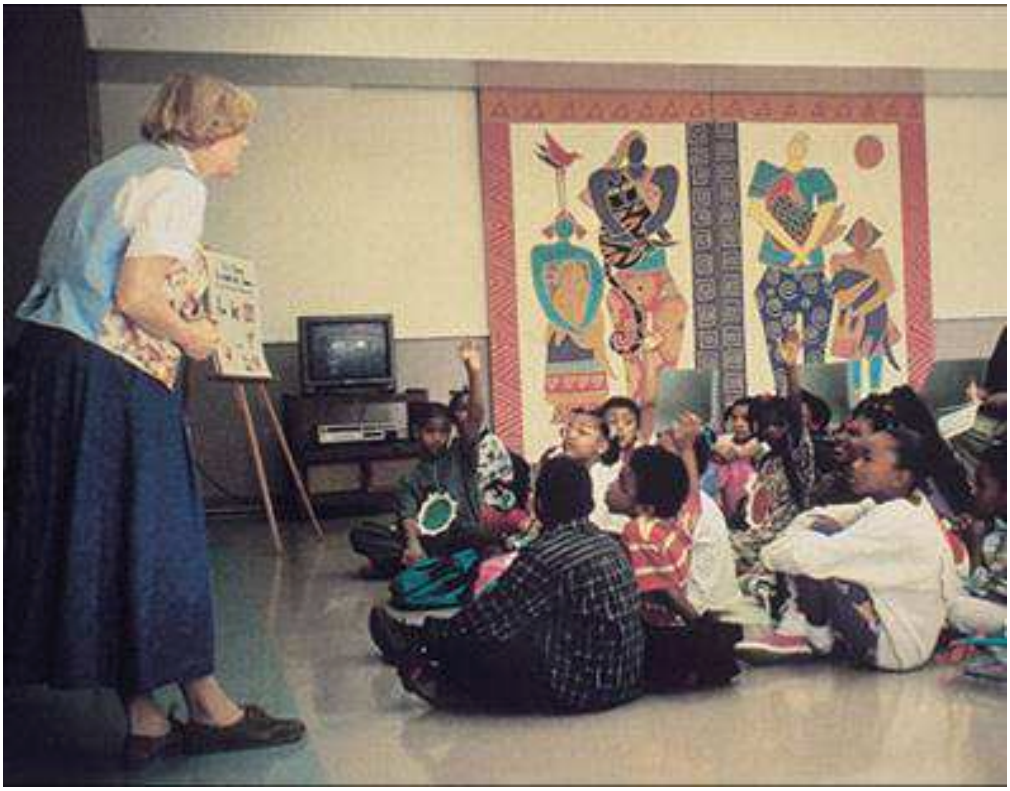


Indoor and Outdoor Get Acquainted and Exercise





Humane Education Classrooms/Conference Rooms





Medical Areas Spay/Neuter



Modern Staff Work Areas



Newer Traditional Shelters

Sacramento City and Sonoma County operate shelters of this type. Both of these shelters were well thought of when they opened. The Sacramento shelter in particular offers an attractive public entrance.



However, lobby space is limited and the animal holding areas are little different than what was being built 50 years ago. Disease control is compromised by many of the design elements, e.g. open trench drains and large numbers of dogs in the same space. The kennel areas are very noisy, particularly the Sonoma County shelter.

Sacramento City Shelter Lobby



Sacramento City Outside Dog Kennels

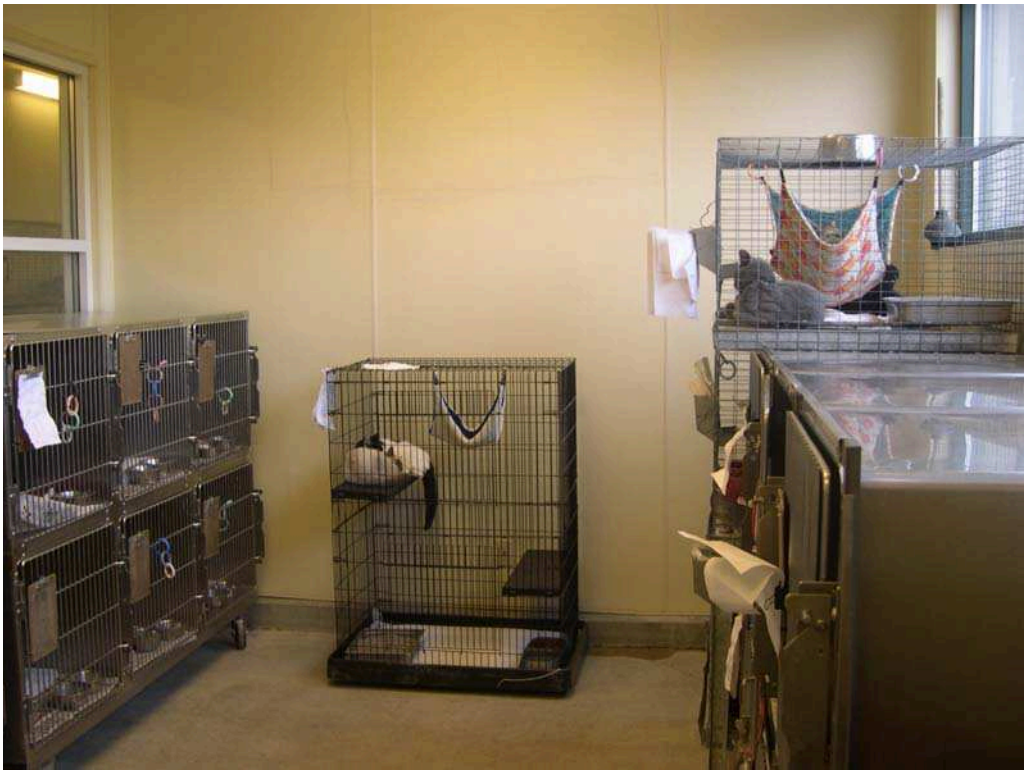


Open Trench Drains

Sonoma County Inside Dog Kennels



Sonoma County Cat Holding



Yuba County Shelter

The new Yuba County shelter is typical of a new shelter using old design elements. The building is approximately 8,430 square feet. It consist of two primary buildings one houses the dog kennels and animal support functions, the other houses cats, other small animals, office space a small conference room and public rest rooms and staff support areas.

This shelter has several nice features including: an attractive entrance, modern clerical work areas, an attractive public lobby, an animal socialization/get-acquainted area off of the public lobby, individual dog kennel drains, an outdoor dog exercise area and the ability to expand the dog kenneling space to the north. The shelter is an indoor/outdoor design that utilizes traditional dog kenneling with double stacked kennels with dogs facing each other. This design feature is discouraged because it increases the probability of airborne disease transfer, increases anxiety and stress and hence barking. Cat and small animal holding areas are limited. Concrete surfaces in the animal habitats do not appear to be sealed, which is of concern relative to disease transfer and ease of cleaning and disinfection. The ceiling of the dog kennels appears to be quite porous and thus presents disease incubation and transfer issues.

Entrance



Public Counter and Lobby





Dog Kennels





Cat Holding


B2
B3
B4
B6
B7
B8
B10
B11
B12


B3
B4
B13
B14
B7
B8
B16
B17
B11
B12
B19

Animal Socialization/Get-Acquainted Room



Loading/Unloading



Prefabricated Shelters

Prefabricated shelters offer the advantage of low cost and relatively easy and thus fast construction. This is, in most cases, the least expensive type of shelter to build. However, their durability in the long-term is questionable. We contacted the leading prefabricated builder of animal shelters and can report that they have experience in California, and they say they can design, and construct a shelter for $120.00 per square foot exclusive of site work and interior furnishings. This may be somewhat misleading in that our further inquiries revealed that they have designed but not built an all-indoor facility. This is an issue because of the greater demands that are placed on the HVAC systems in an all-indoor facility. The largest facility they have built is 12,800 square feet.

Undesirable characteristics of this type of shelter are: the excessive sound volume in the dog holding areas, odor, disease control problems because of the large number of animals occupying the same space, lack of design consideration relative to room uses and adjacencies, high ceilings and therefore large air volumes in the dog holding areas, thus making these spaces expensive to heat and cool.

Some examples of prefabricated shelters utilizing this design philosophy are shown below:

The Bay County Animal Shelter is located in Panama City, Florida. It includes 100 indoor/outdoor kennel runs, a large commercial section with offices and retail, a cattery, food preparation area, exam room, and a laundry room facility. This shelter was completed in 2005.



The Southern Brazoria Animal Shelter is located in Lake Jackson, Texas. It includes 88 indoor/outdoor kennel runs, a large commercial section with offices and retail, a cattery, food prep area, exam room, and a laundry room facility. This shelter was completed in 2003.



City of Stockton Shelter Expansion



Typical Dog Ward



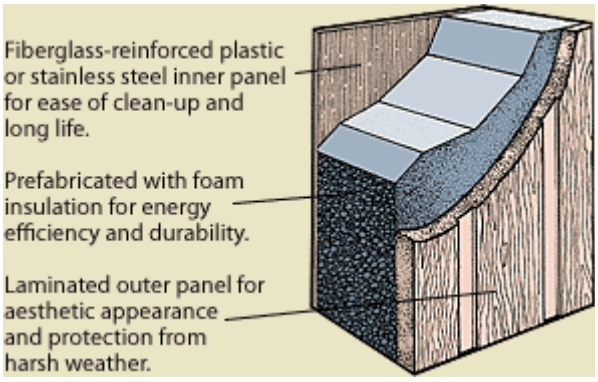
Cat Holding



Office Area



This company utilizes a sandwich type of construction for the outer walls as shown below:



This type of construction utilizing FRP panels has proven to be a problem for some shelters. This damaged panel is the result of one dog in one day. The company offers stainless steel panels that should prevent this type of damage.

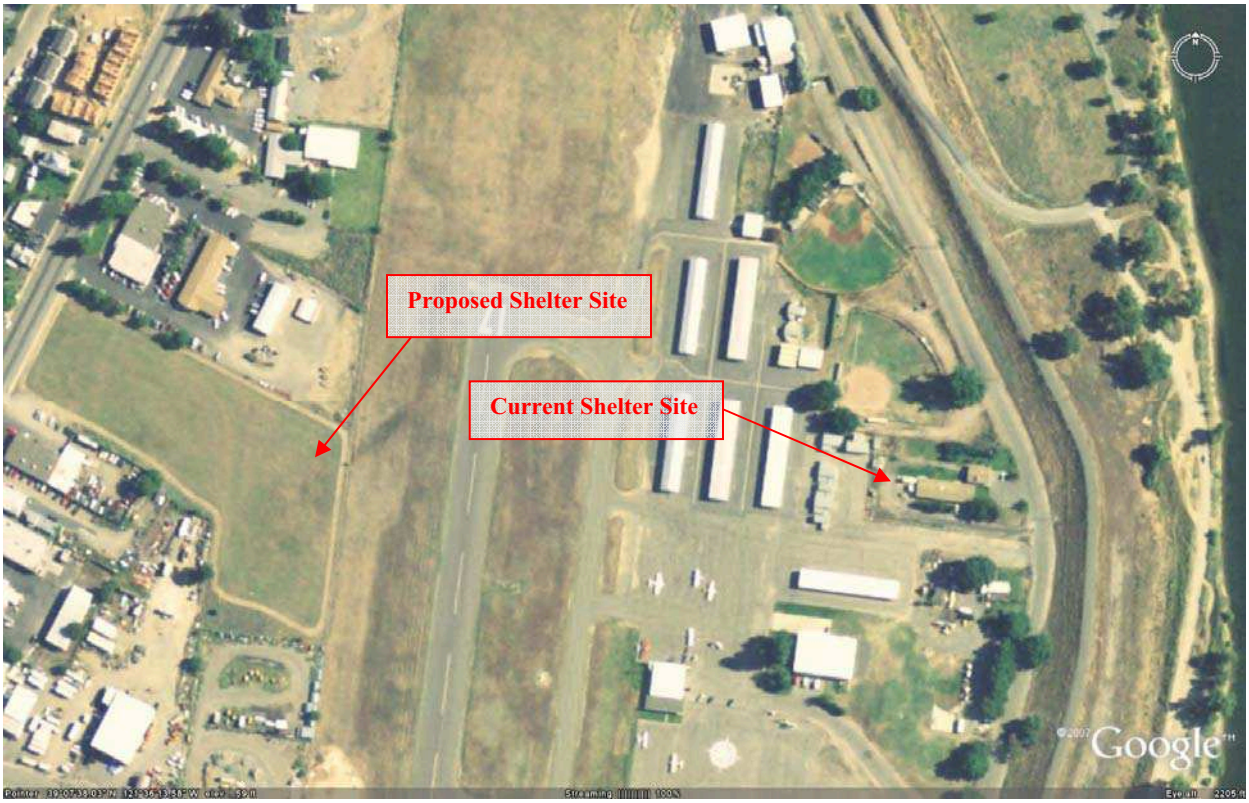


We do not believe that a prefabricated animal shelter is the right solution for Sutter County. We are not convinced that this type of construction will prove as durable as a properly designed and maintained shelter using conventional shelter construction materials and techniques. We cannot foresee a prefabricated animal shelter lasting over 30 years without extensive repairs, given the abuse they must endure. While not as expensive as conventional construction, a prefabricated shelter will still represent a multi million dollar expenditure. We do not believe this is a good investment for Sutter County. We visited the Stockton City shelter. Sutter County administrators should do the same before considering this alternative.

Location

Historically animal shelters have been placed in out-of-the-way locations, typically on surplus city/county property. These building sites were often next to the sewage treatment plant, airport, landfill or miles from a population hub. These locations were driven by the low priority public leaders placed on the animal control program, poor building aesthetics, and the noise and odor associated with typical indoor/outdoor shelters. These typical locations and the design of the buildings themselves are the reason the public still envisions the "pound" when picturing animal shelters and why there is "sticker shock" when presented with a cost estimate for a new modern shelter.

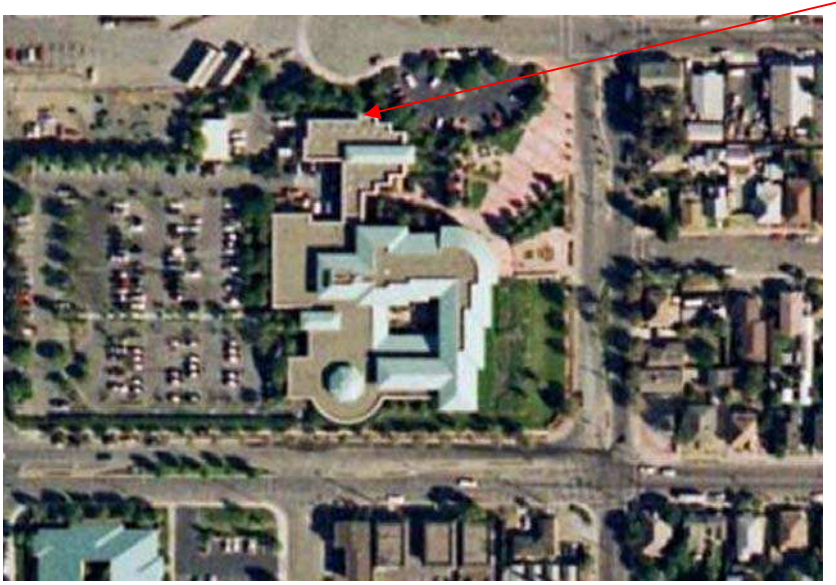
The current Sutter County shelter is adjacent to the airport and the proposed new site is across the runway to the west of the current shelter. This proposed site is 2½ acres and was chosen because the property is already owned and is close to an existing City sewer line thus negating the $500,000 cost to hook up to the sewer from the current location.



The preliminary concept is to have the shelter occupy the eastern portion of the property thus preserving the road frontage for future use. The preliminary concept calls for a new west to east road skirting the northern edge of the property to accomplish this.

Modern shelters, utilizing indoor dog kenneling, do not have to be located on this type of property. They can be a part of any downtown area and, if properly designed and executed, be a source of community pride. They can also be a part of other civic buildings. The City of Fremont animal shelter is located in the city hall building. The Antioch animal shelter (pictured below) is located in the police department building. Citygate suggests that the County and Yuba City representatives discuss the location of the shelter to determine if the proposed location or another location will best serve the needs of the community.




Animal
Shelter

The West Contra Costa County animal shelter (pictured below) is located in a small shopping mall in the City of Pinole.



Other shelters located in urban areas are: the Tri Valley SPCA located in Dublin.



Tony LaRussa's Animal Rescue Foundation located in Walnut Creek:



An agency opting for this type of shelter would have to make alternative arrangements for the housing of livestock. Humane societies/SPCAs typically do not have to deal with this issue. Most cities also have minimal livestock issues. Contra Costa County houses its livestock at its Martinez shelter.



WHAT IS THE DIFFERENCE BETWEEN AN ANIMAL CONTROL SHELTER AND A HUMANE SOCIETY SHELTER?

As noted in Section II of this study, most humane society shelters are limited admission shelters. These organizations are selective relative to the number and type of animals they accept. They will not accept an animal if they cannot place it quickly. They typically do not accept large dogs, sick animals, aggressive or feral animals, injured animals or Pit Bulls.

Humane societies do not operate an animal control program or have responsibility for rabies

control. Therefore, they do not have to provide space for police holds or rabies quarantine animals. They do not have to provide space for the loading and unloading of animal control vehicles. They do not have to store and maintain animal control related equipment. They have a relatively small animal capacity. For example, Tony LaRussa's Animal Rescue Foundation occupies a 37,000 square foot building and has 20 dog holding kennels and 14 adoption dog kennels. The Contra Costa County Animal Services shelter, which is 36,000 square feet, has 136 dog holding kennels and 24 adoption dog kennels.

Because of the smaller number of animals held, humane societies do not have to provide a large amount of space for animal food. The small number of animals held also reduces their disease control problems. Humane societies do not have to deal with livestock, so they do not have to provide space for a barn and corral. They typically do not have a large paid staff and rely heavily on volunteers, thus negating the need for locker rooms and showers.

Because of the relatively small number of animals held, the requirements for cleaning systems, HVAC systems and drains and plumbing systems are significantly reduced.

Humane Societies rely on donations to remain operational. As a consequence, they devote a large amount of space to educational and fund raising activities, obedience training and animal adoption programs.

WHAT WILL A NEW SHELTER COST?

Citygate cannot answer this question because the answer involves so many variables that are unknown to us and in all probability are unknown at this stage to County staff. The cost will primarily depend on the size of the building.

Also having a bearing on cost are the type of building, (indoor or indoor/outdoor), the type of construction, (pre-fabrication, tilt-up, steel framing or wood), the build-ability of the chosen site, the HVAC systems chosen, cleaning system chosen, number of staff, profit, overhead and contingencies, soft costs, etc. However, the total cost of the project will principally hinge on the size of the shelter.

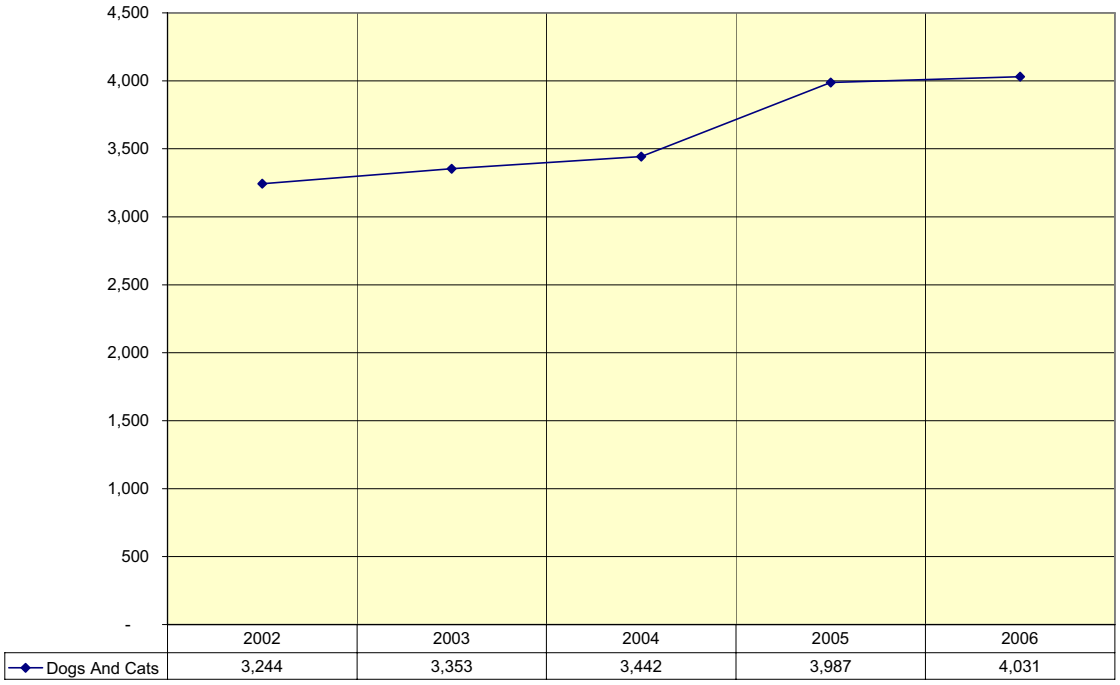
The Size of the Shelter

A new shelter should be significantly larger than what is currently being operated by the County. Why? It is assumed that the County and cities wish to move the program forward, plan for the future, and emulate best practices in the animal control field. Simply stated, the County cannot accomplish these goals in a building that is approximately 4,100 square feet. The size of the building will be dependant on the number and type of animals held (particularly dogs), the length of time they are held, and the number of programs offered. Best practices dictate that dogs be held in separate kennels and cats in separate cages in order to mitigate disease transfer and to reduce stress and dog barking.

Animals Held

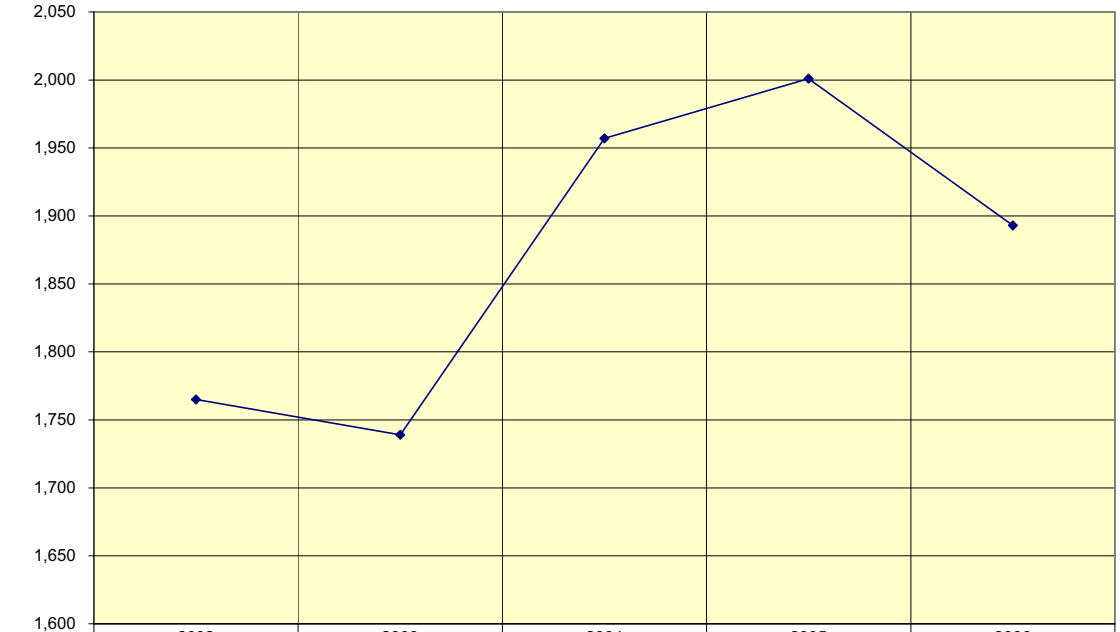
In 2006 the Animal Control Division took in 1,893 dogs and 2,138 cats and 401 other animal types. The number of animal intakes has increased over the last five (5) years.

DOG AND CAT INTAKES 2002-2006

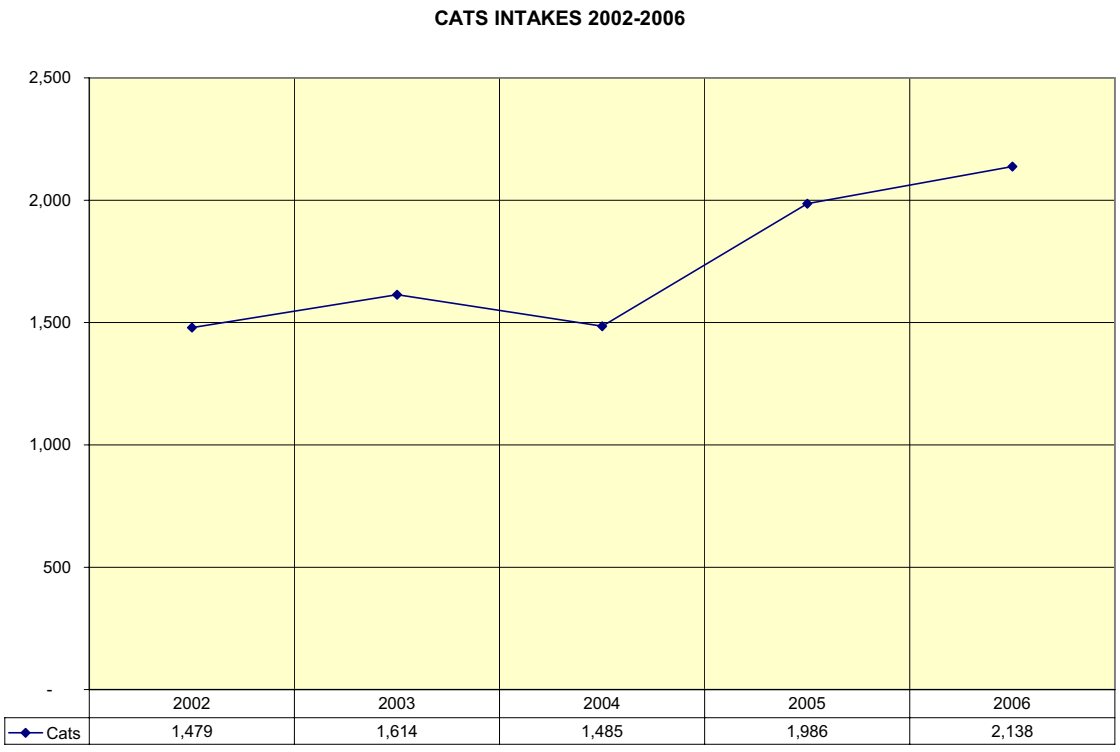


	2002	2003	2004	2005	2006
Dogs And Cats	3,244	3,353	3,442	3,987	4,031

DOG INTAKES 2002-2006



	2002	2003	2004	2005	2006
Dogs	1,765	1,739	1,957	2,001	1,893



We believe that the reduction in dog intakes is a product of low field staffing as opposed to any proactive effort on the part of the County relative to spay/neuter or community education. If the County embarks on efforts to promote spay/neuter then we could assume that the current number of intakes will decrease over time or remain constant. As noted in Section III of this study, that has been the trend in more urban areas of the State.

Programs Offered

This parameter also affects the size of the shelter. A humane education program requires desk space for the people involved in the program, even if those individuals are volunteers, and storage space for printed materials and video presentation equipment. A medical program requires an examination and treatment room, isolation areas and separated food preparation space. Additional space will be necessary for rodent-proof animal food storage, mechanical systems, custodial supplies, equipment storage, secure computer and telephone answering and switching equipment, loading and un-loading areas, employee lockers and showers, employee lunch room, conference room/education teaching space, etc.

Modern animal shelter design recognizes that the reduction of companion animal euthanasia requires a multifaceted approach: animal shelters need to be designed with user friendly adoption areas; policies and procedures need to be in place to enhance adoptions and the return of animals to their owners; and progressive spay/neuter programs need to be instituted and maintained. Outreach adoption efforts can supplement shelter adoptions but cannot substitute for an "in house" adoption program.

If we assume a maximum of 2,100 dog intakes, one dog per kennel and current practice relative to length of stay at the shelter, approximately 50 to 60 dog kennels will be required as opposed to the current 16. The architect retained by the County will better be able to refine these numbers after collection of more detailed data and conversations with County staff.

Program/Design Process

Before Sutter County proceeds with replacing the existing shelter, Citygate suggests that a systematic process be utilized to minimize the possibility that, once built, the new shelter fails to meet expectations relative to program goals and objectives. It is essential that animal control staff participate in this process and that County/City management are in agreement as to what the new building is to accomplish relative to the long-term strategic plan and programmatic goals established for the animal control program.

We are informed that the County and City have formed a committee to bring this project forward. Hopefully a process similar to the following is being utilized to reach a preliminary cost estimate, keeping in mind that these buildings present unique challenges in terms of their size and cost of materials.

Program Documentation

1. Establish concept/prototype
2. Document departmental organization - *staff, equipment, etc.*
3. Establish desired animal holding time - *holding, quarantine and adoption*
4. Translate holding periods to cage / kennel / habitat quantities
5. Define character and ambiance of animal habitats
6. Establish key system needs – for example, how are the rooms cleaned and what type of drainage system is to be used?
7. Develop Space Needs Program.

Program Relationships

1. Develop staff and animal flow diagrams
2. Develop adjacency diagrams
3. Develop non-site specific concept plans
4. Review the above with County staff and adjust as necessary.

Quality and Cost

1. Prepare outline specification of materials and systems
2. Develop cost estimate
3. Review and adjust with County/City staff.

Board /Council Approval

Proceed with Architectural Plans

1. Schematic design
2. Design development
3. Construction documents
4. Bidding
5. Construction.

WHY DO ANIMAL SHELTERS COST SO MUCH?

A modern well designed animal shelter costs approximately 30 percent more to build than an office building. Almost every animal shelter building project undertaken in California during the last 10 years started out with an unrealistic initial cost estimate based on the underestimation of the size of the building needed and preconceived notions of construction methods and the cost of required materials.

The reasons for these cost differences are: most animal care facility surfaces need to be both nonabsorbent and durable to withstand 24 hour, 7 day a week cleaning; rooms need to be designed to minimize sound transfer from barking dogs; air handling systems need to be designed to prevent disease transfer between animals; and a reliable security system is needed to prevent break-ins from those trying to illegally reclaim their confiscated animals. Add to this the need for medical treatment, euthanasia and the temporary storage of animal remains and you have a very complicated, multi-use facility with extensive plumbing, HVAC and durable building finishes.

Another factor that influences cost is the fact that all of these buildings are custom designs that must be tailored to the client's program goals and the building site that is available. Also of importance is the desirability of the project. This latter factor can be influenced by the familiarity of the contractor with the public jurisdiction's personnel and the jurisdiction's policies and procedures. Knowing whom to call and the expectation of helpful Planning Department and General Service Department staff are factors that can influence the bidding process. Ease of access to the facility, ample space for staging construction equipment and construction trailers, requirements relative to the time during which construction can take place, debris disposal criteria etc. are all factors that influence how many contractors will bid on a job. It is a given that the more bidders a project attracts the more competitive the bidding process and, therefore, the potentiality of lower cost.

Another factor at work is State law that requires prevailing wages for public projects. In addition, the inclusion of "project labor agreements" that further reduce the number of firms willing to bid on a public project so encumbered is becoming more widespread.

Other factors out of the control of public agencies are the general state of the economy and the general construction activity in the area. The following from the Bureau of Labor Statistics is illustrative of these issues:

> "The most significant factor affecting the escalation is market congestion. Construction activity in California has been very strong in all market sectors for several years, with the current annual growth rate of the construction activity being around 8% per annum. This is resulting in a very high demand for construction service statewide. In addition, the markets in neighboring states are also very active, which makes it very difficult to draw contractors into the region from other areas."[2]

We also asked the Capital Facilities and Debt Manager for Contra Costa County his opinion. He responded as follows:

> "This is consistent with what we are seeing. Cost escalation in recent years has been remarkable. I agree with the assessment of the many factors involved, both with materials and labor. Although contingencies are high, in my experience we tend to go through them. An additional factor that complicates projects in the public sector is the lengthy process we have to go through with issues such as environmental review and the public bidding process. Each step has the potential to add delay, and each delay adds cost. The combination of delay and escalating construction inflation has made it difficult to deliver on important projects."

Commission on State Mandates

The Commission on State Mandates voted that cities/counties are entitled to reimbursement (because of SB 90 requirements) for some of the increased costs incurred under SB 1785 (1998), including veterinary care and maintenance for strays that are killed and for some costs associated with the construction of new facilities or the remodeling of existing facilities.

The Commission recognized that shelters had additional costs associated with strays that are adopted, but said that the shelters have authority to recover these added costs by raising adoption fees. The Commission also said that shelters are not required to accept owner-surrendered animals, so increased costs associated with these animals are not reimbursable.

The Commission estimated the statewide cost of this reimbursable mandate up through the 2002-03 budget year as $65,305,876. The 2003-04 budget suspended this mandate, meaning that the state would not reimburse local governments for the costs of the mandate for that fiscal year. Therefore, local governments were not required to perform the additional duties imposed by SB 1785 that were judged to be reimbursable.

The Governor proposed to repeal this reimbursable mandate in the 2004-05 budget. However, he changed his mind under pressure from animal advocates. The 2004-05 budget included $13,900,000 for this mandate.

The Attorney General's office filed an action against the Commission on State Mandates on behalf of the Department of Finance to require the Commission to issue a new decision denying any reimbursement for the increased costs incurred under SB 1785. In return, Los Angeles County filed a counter suit maintaining that it does not have sufficient authority to levy fees to recover the costs of those services that the Commission on State Mandates had determined were

[2]http://www.calhealth.org/public/press/Article%5C103%5CConstruction%20Cost%20Escalation%20in%20CA%20January%202006%20no%20cover%20letter.pdf

not reimbursable. The Attorney General's office is currently waiting for direction from the Department of Finance in light of the Governor's decision to fund the mandate. As of January 2007, the state has not pursued the lawsuit.

The following information on the facilities portion of the mandate has been provided to us by the consulting firm, Maximus.

1. Eligible claimants are only entitled to reimbursement for the proportionate share of actual costs required to plan, design, acquire, and/or build facilities in a given fiscal year based on the pro rata representation of impounded stray or abandoned dogs, cats, and other animals specified in Statues of 1998, Chapter 752 that are held during the increased holding period and die during the increased holding period or are ultimately euthanized, to the total population of animals housed in the facility. **Supporting documentation is required (include invoices, statistical reports, etc.)**

- Acquisition/construction costs that are less than or equal to the cost of contract services for eligible animals are reimbursable and will be calculated based on current animal population statistics.
- Since the remodeling/renovation will not increase square footage to address existing overcrowding of future growth issues, the mandate reimbursable percentage formula for remodeling/renovation would exclude the eligible percentage of square footage factor.

Information needed to calculate the Proportionate Share of Actual Costs:

Base year:

A. Shelter square footage in 1998	
B. Total animal average daily census* (ADC) in 1998	
C. Square footage per ADC in 1998 (=A/B)	
D. Total dog/cat ADC in 1998	

New fiscal claim year:

E. Shelter square footage in claim year	
F. Total dog/cat ADC in claim year	
G. Eligible dog/cat ADC** in claim year	
H. Eligible other animal*** ADC in claim year	
I. Eligible dog/cat square footage in claim year	

* Average daily census (ADC) is defined as the average number of all dogs and cats at a facility housed on any given day, in a 365-day period.

** ADC for eligible dogs and cats is defined as the average number of impounded stray or abandoned dogs and cats (Food & Agr. Code 31108, 31752), that die during the increased holding period or are ultimately euthanized after the increased holding period, that are housed at a facility on any given day, in a 365 day period.

*** ADC for eligible other animals is defined as the average number of impounded stray or abandoned other animals (Food & Agr. Code 31753), that die during the increased holding period or are ultimately euthanized after the increased holding period, that are housed at a facility on any given day, in a 365 day period.

2. The agency **MUST PROVIDE** the determination by the governing board that acquiring additional space an/or constructing new facilities is necessary for the increased holding period required by Statutes of 1998, Chapter 752 because the existing facilities do not reasonably accommodate impounded stray or abandoned dogs, cats, and other specified animals that are ultimately euthanized.

Determination by the governing board shall include ALL of the following:

a. The average daily census of impounded stray or abandoned dogs, cats, and other animals that were impounded in 1998

b. The average daily census of impounded stray or abandoned dogs, cats, and other animals that were impounded since the increased holding period was put into place.

c. Existing facilities are not appropriately configured and/or equipped to comply with the increased holding period.

d. Remodeling existing facilities is not feasible or is more expensive than acquiring addition space an/or construction new facilities to comply with the increased holding period requirement. *(This statement is not required when remodeling/renovating an existing facility)*

e. Contracting with existing private or public shelter in the area to house the increase of impounded stray or abandoned dogs, cats, or other animals is not feasible or is more expensive than acquiring additional space an/or constructing new facilities to comply with the increased holding period requirement.

Supporting documentation is required and may consist of staff agenda items, staff reports, minutes or governing board meetings, transcripts of governing board meetings, certification by the governing board describing the findings and determination and/or resolution adopted by the governing board.

The County should contact Maximus (the firm is utilized by Sutter County relative to SB 90 claiming matters) to determine the feasibility of recovering some of the construction costs through the claiming process.

WHAT WILL IT COST TO OPERATE A NEW ANIMAL SHELTER?

The easy answer to the above question is that it will cost more than what is currently being expended. As shelters get larger they require more expenditures for HVAC, more staff hours to clean and disinfect and as a consequence more expenditures for supplies, particularly cleaning and disinfecting agents. Therefore, the three primary factors that will influence increased Animal Control Division shelter costs are staffing, utilities and cleaning supplies.

Staffing

Here we refer to the type of staff and number of staff. Citygate has noted in previous sections of this report that the use of inmate labor degrades the animal control program in several significant respects. We do not believe that inmate labor, as currently utilized, can be part of a 21st century "best practices" animal control program for reasons previously stated. We also recognize that Sutter County has many pressing needs for its limited financial resources. Therefore, we offer the following suggestions relative to a transition to a fully paid staff.

- Begin the transition to a fully paid staff in conjunction with the completion of a new shelter.
- Limit tasks performed by inmates to those that are the most disagreeable and require the most physical exertion.
- Do not rely on inmates for observation of animal health or notification of Division staff relative to animal health issues.

- Limit inmate presence to those hours when the public is not present. Sonoma County utilizes inmates in this manner.

We would suggest that at least one (1) more Kennel Assistant be added to the staff initially to allow for seven (7) day coverage at the shelter. The cost for this additional staff member would be approximately $48,000 per year including benefits for a Kennel Assistant at top step. The number of inmates assigned to the shelter will depend on several factors including the number of hours they are on site and the time it will take them to perform the tasks assigned to them. This will need to be developed after the shelter is opened through experience.

Utilities

An increase in the size of the shelter from a total of 4,110 square feet, and the change from an indoor/outdoor facility to one that is totally enclosed, along with the addition of a crematorium, will result in an increase in water, electric and gas costs. The Division currently budgets $9,000 per year for utilities. The shelter is old and poorly insulated. The shelter kennel area is not currently air-conditioned. However, the fact that a modern building will be better insulated and that modern heating and air conditioning units are relatively efficient will not significantly mitigate a building size increase by a factor of between 2 and 4 to 1. Current utility costs are $.18 per square foot per month. This is very low and is partially the result of a lack of air-conditioning in the kennel area of the shelter. This rate will not be sustainable. Therefore, we have used $.35 per square foot as more realistic. We checked with Contra Costa County, and they report $.43 per square foot per month. The differences in a yearly budget cost are depicted in the following table:

Utility Cost	Square ft.	Month	Annual	Budget	Increase
Current Cost	8,000	$0.18	$2.16	$17,280	$8,280
Modified Cost	8,000	$0.35	$4.20	$33,600	$24,600
Contra Costa County Cost	8,000	$0.43	$5.16	$41,280	$32,280
Current Cost	12,000	$0.18	$2.16	$25,920	$16,920
Modified Cost	12,000	$0.35	$4.20	$50,400	$41,400
Contra Costa County Cost	12,000	$0.43	$5.16	$61,920	$52,920
Current Cost	16,000	$0.18	$2.16	$34,560	$25,560
Modified Cost	16,000	$0.35	$4.20	$67,200	$58,200
Contra Costa County Cost	16,000	$0.43	$5.16	$82,560	$73,560

Cleaning Supplies

The Division currently budgets $6,000 for household expenses. This budget account primarily reflects the cost of the various chemicals needed to clean and sanitize the animal holding areas of the shelter. This amount needs to be increased to $18,000 if we assume a building size of 12,000 square feet.

Facility Maintenance

The Division currently budgets $1,000 for the maintenance of the shelter. This includes plumbing, electrical, carpentry, painting and operating engineers. While it seems that a new building would require less instead of more expenditure for these items, the reality is that there are more things to break and need repair in a larger, more complex building. The Public Works Department should be consulted on this item, but for our purposes here, we would recommend an increase in this account to at least $10,000.

Crematorium

The addition of a crematorium will allow the Division to cancel its animal disposal contract. This will result in an annual cost saving of $16,200.

Total Projected Increased Annual Cost

Account	Increase
Salaries and Benefits	$ 48,000
Utilities	$ 41,400
Cleaning Supplies	$ 12,000
Facility Maintenance	$ 9,000
Dead Animal Disposal	$(16,200)
Total	$ 82,200

The above estimates are based on a building of 12,000 square feet and would need to be adjusted depending on the actual size of the new shelter.

The Ability of the Animal Control Division to Operate a Larger, More Complicated Animal Shelter

Citygate was impressed with the professionalism and courtesy of the Animal Control staff. We believe that the Supervising Animal Control Officer has the ability to operate a more complex program than what she is currently responsible for managing. However, she will find the challenges of managing a larger state of the art facility beyond the Division's capacity**, but not her abilities**, as would any other animal control professional if faced with her lack of resources.

A new state of the art shelter, is not only larger, it is also much more complex, with more doors, more windows, different floor coverings, more sophisticated cleaning systems, etc. Placing more inmates in the shelter is only a partial solution. As animal shelters become more complex, more expertise is needed to maintain them. Therefore, it may be that even more paid staff will need to be added in order to properly operate and maintain a new larger shelter**. No one will profit if the shelter is not properly managed and maintained. If adequate cleaning, disinfecting and maintenance is neglected, the County will have spent a large amount of money on a building that will quickly become dysfunctional.**

CONCLUSION

A new, well-designed and maintained shelter will enhance public perception of the Animal Control Division, the Community Services Department and the County and cities. Not all will view the expenditure in a positive light. Some will lament spending a large amount of money on animals when there are pressing needs in the community for increased public services. Citygate cannot predict the extent of the support versus criticism of the project debate. We can report that other projects in other communities were well received.

Recommendations With Regard to Replacing the Animal Shelter Facility

Recommendation VIII-1: **Establish a Capital Facility Fee to partially cover costs for new animal control facilities.**

The County's Capital Facility Fee program for new construction does not include a fee for expansion of the current animal control facilities. It is our understanding that County staff will be including such a fee in the countywide fee study that is currently underway and due to come to the Board in the near future.

Recommendation VIII-2: **Construct a modern, fully enclosed animal shelter and administrative facility designed to successfully accommodate the County's anticipated growth over the next 30 years.**

The current shelter facilities are inadequate to house the current, much less future, volumes of impounded animals. The current facilities have inadequate animal holding capacity, are not conducive to disease control, animal adoption, staff morale, or public access. Lacking are adequate support areas relative to laundry, medical space, food preparation, equipment storage, staff break rooms, lockers, restrooms, and office space. Public spaces are too small for the volume of visitors and the efficient transfer of animals. The Division should consult with an architect familiar with public animal shelter design.

Recommendation VIII-3: **Pursue an SB 90 reimbursement claim for a portion of the new animal shelter facility.**

County staff needs to evaluate the possibility of obtaining reimbursement for a new shelter based on the above criteria. It is our understanding that Sutter County has retained Maximus to handle its SB 90 claiming for the SB 1785 mandate. Maximus should be contacted and their counsel sought relative to the best way to proceed with reimbursement claims.

Recommendation VIII-4: **Hire an architect with extensive direct experience designing animal shelter facilities.**

Recommendation VIII-5: **Follow the program/design process detailed in this section of the report.**

Recommendation VIII-6: **Discuss the location of the new shelter with Yuba City representatives to determine if the proposed location or another location will best serve the needs of the community.**

Recommendation VIII-7: **Transition to fully paid staff, and away from dependence on inmate labor, in conjunction with the completion of a new animal shelter.**

Recommendation VIII-8: **Limit inmate presence to those hours when the public is not present.**

CITYGATE ASSOCIATES, LLC

FOLSOM (SACRAMENTO) MANAGEMENT CONSULTANTS

MANAGEMENT REVIEW FOR THE SUTTER COUNTY ANIMAL CONTROL DIVISION

Final Report

VOLUME 2 OF 2 – APPENDIX

August 31, 2007

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APPENDIX 1

HAYDEN AND VINCENT LAWS

SB 1785 (THE HAYDEN BILL, 1998) AS AMENDED

CIVIL CODE

Section 1815. An involuntary deposit is made:

(a) By the accidental leaving or placing of personal property in the possession of any person, without negligence on the part of its owner.

(b) In cases of fire, shipwreck, inundation, insurrection, riot, or like extraordinary emergencies, by the owner of personal property committing it, out of necessity, to the care of any person.

(c) By the delivery to, or picking up by, and the holding of, a stray live animal by any person or public or private entity.

Section 1816. (a) The person or private entity with whom a thing is deposited in the manner described in Section 1815 is bound to take charge of it, if able to do so.

(b) A public agency or shelter with whom a thing is deposited in the manner described in Section 1815 is bound to take charge of it, as provided in Section 597.1 of the Penal Code.

Section 1834. A depositary of living animals shall provide the animals with necessary and prompt veterinary care, nutrition, and shelter, and treat them kindly. Any depositary that fails to perform these duties may be liable for civil damages as provided by law.

Section 1834.4. (a) It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Adoptable animals include only those animals eight weeks of age or older that, at or subsequent to the time the animal is impounded or otherwise taken into possession, have manifested no sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of disease, injury, or congenital or hereditary condition that adversely affects the health of the animal or that is likely to adversely affect the animal's health in the future.

(b) It is the policy of the state that no treatable animal should be euthanized. A treatable animal shall include any animal that is not adoptable but that could become adoptable with reasonable efforts. This subdivision, by itself, shall not be the basis of liability for damages regarding euthanasia.

Section 1845. An involuntary deposit is gratuitous, the depositary being entitled to no reward. However, an involuntary depositary of any live animal may accept advertised rewards or rewards freely offered by the owner of the animal.

Section 1846. (a) A gratuitous depositary must use, at least, slight care for the preservation of the thing deposited.

(b) A gratuitous depositary of a living animal shall provide the animal with necessary and prompt veterinary care, adequate nutrition and water, and shelter, and shall treat it humanely and, if the animal has any identification, make reasonable attempts to notify the owner of the animal's location. Any gratuitous depositary that does not have sufficient resources or desire to provide that care shall promptly turn the animal over to an appropriate care facility.

(c) If the gratuitous depositary of a living animal is a public pound, shelter operated by a society for the prevention of cruelty to animals, or humane shelter, the depositary shall comply with all other requirements of the Food and Agricultural Code regarding the impounding of live animals.

Section 1847. The duties of a gratuitous depositary cease:

(a) Upon restoration by the depositary of the thing deposited to its owner.

(b) Upon reasonable notice given by the depositary to the owner to remove it, and the owner failing to do so within a reasonable time. But an involuntary depositary, under subdivision (b) of Section 1815, may not give notice until the emergency that gave rise to the deposit is past. This subdivision shall not apply to a public pound, a shelter operated by a society for the prevention of cruelty to animals, or a humane shelter. The duty to provide care, as required by Section 1846, continues until the public pound or private shelter is lawfully relieved of responsibility for the animal.

Section 2080. Any person who finds a thing lost is not bound to take charge of it, unless the person is otherwise required to do so by contract or law, but when the person does take charge of it he or she is thenceforward a depositary for the owner, with the rights and obligations of a depositary for hire. Any person or any public or private entity that finds and takes possession of any money, goods, things in action, or other personal property, or saves any domestic animal from harm, neglect, drowning, or starvation, shall, within a reasonable time, inform the owner, if known, and make restitution without compensation, except a reasonable charge for saving and taking care of the property. Any person who takes possession of a live domestic animal shall provide for humane treatment of the animal.

FOOD AND AGRICULTURAL CODE

Section 17005. (a) It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Adoptable animals include only those animals eight weeks of age or older that, at or subsequent to the time the animal is impounded or otherwise taken into possession, have manifested no sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of disease, injury, or congenital or hereditary condition that adversely affects the health of the animal or that is likely to adversely affect the animal's health in the future.

(b) It is the policy of the state that no treatable animal should be euthanized. A treatable animal shall include any animal that is not adoptable but that could become adoptable with reasonable efforts. This subdivision, by itself, shall not be the basis of liability for damages regarding euthanasia.

Section 17006. Animals that are irremediably suffering from a serious illness or severe injury shall not be held for owner redemption or adoption. Newborn animals that need maternal care and have been impounded without their mothers may be euthanized without being held for owner redemption or adoption.

Section 31108. (a) The required holding period for a stray dog impounded pursuant to this division shall be six business days, not including the day of impoundment, except as follows:

(1) If the public or private shelter has made the dog available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment.

(2) If the public or private shelter has fewer than three full-time employees or is not open during all regular weekday business hours, and if it has established a procedure to enable owners to reclaim their dogs by appointment at a mutually agreeable time when the public or private shelter would otherwise be closed, the holding period shall be four business days, not including the day of impoundment.

Except as provided in Section 17006, stray dogs shall be held for owner redemption during the first three days of the holding period, not including the day of impoundment, and shall be available for owner redemption or adoption for the remainder of the holding period.

(b) Except as provided in Section 17006, any stray dog that is impounded pursuant to this division shall, prior to the euthanasia of that animal, be released to a nonprofit, as defined in Section 501 (c)(3) of the Internal Revenue Code, animal rescue or adoption organization if requested by the organization prior to the scheduled euthanasia of that animal. The public or private shelter may enter into cooperative agreements with any animal rescue or adoption organization. In addition to any required spay or neuter deposit, the public or private shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals adopted or released.

(c) During the holding period required by this section and prior to the adoption or euthanasia of a dog impounded pursuant to this division, a public or private shelter shall scan the dog for a microchip that identifies the owner of that dog and shall make reasonable efforts to contact the owner and notify him or her that his or her dog is impounded and is available for redemption.

Section 31108.5. (a) (1) Upon relinquishment of a dog to a public or private shelter, the owner of that dog shall present sufficient identification to establish his or her ownership of the dog and shall sign a statement that he or she is the lawful owner of the dog.

(2) Any person who provides false information pursuant to this subdivision about his or her ownership of the dog shall be liable to the true owner of the dog in the amount of one thousand dollars ($1,000).

(b) Upon relinquishment, the dog may be made available for immediate euthanasia if it has a history of vicious or dangerous behavior documented by the agency charged with enforcing state and local animal laws.

Section 31752. (a) The required holding period for a stray cat impounded pursuant to this division shall be six business days, not including the day of impoundment, except as follows:

(1) If the public or private shelter has made the cat available for owner redemption on one weekday evening until at least 7:00 p.m. or one weekend day, the holding period shall be four business days, not including the day of impoundment.

(2) If the public or private shelter has fewer than three full-time employees or is not open during all regular weekday business hours, and if it has established a procedure to enable owners to reclaim their cats by appointment at a mutually agreeable time when the public or private

shelter would otherwise be closed, the holding period shall be four business days, not including the day of impoundment.

Except as provided in Sections 17006 and 31752.5, stray cats shall be held for owner redemption during the first three days of the holding period, not including the day of impoundment, and shall be available for owner redemption or adoption for the remainder of the holding period.

(b) Except as provided in Section 17006, any stray cat that is impounded pursuant to this division shall, prior to the euthanasia of that animal, be released to a nonprofit, as defined in Section 501 (c)(3) of the Internal Revenue Code, animal rescue or adoption organization if requested by the organization prior to the scheduled euthanasia of that animal. In addition to any required spay or neuter deposit, the public or private shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals adopted or released. The public or private shelter may enter into cooperative agreements with any animal rescue or adoption organization.

(c) During the holding period required by this section and prior to the adoption or euthanasia of a cat impounded pursuant to this division, a public or private shelter shall scan the cat for a microchip that identifies the owner of that cat and shall make reasonable efforts to contact the owner and notify him or her that his or her cat is impounded and is available for redemption.

Section 31752.2. (a) Upon relinquishment of a cat to a public or private shelter, the owner of that cat shall present sufficient identification to establish his or her ownership of the cat and shall sign a statement that he or she is the lawful owner of the cat.

(b) Any person who provides false information pursuant to this subdivision about his or her ownership of the cat shall be liable to the true owner of the cat in the amount of one thousand dollars ($1,000).

Section 31752.5. (a) The Legislature finds and declares the following:

(1) Domestic cats' temperaments range from completely docile indoor pets to completely unsocialized outdoor cats that avoid all contact with humans.

(2) "Feral cats" are cats with temperaments that are completely unsocialized, although frightened or injured tame pet cats may appear to be feral.

(3) Some people care for or own feral cats.

(4) Feral cats pose particular safety hazards for shelter employees.

(5) It is cruel to keep feral cats caged for long periods of time; however, it is not always easy to distinguish a feral cat from a frightened tame cat.

(b) For the purposes of this section, a "feral cat" is defined as a cat without owner identification of any kind whose usual and consistent temperament is extreme fear and resistance to contact with people. A feral cat is totally unsocialized to people.

(c) Notwithstanding Section 31752, if an apparently feral cat has not been reclaimed by its owner or caretaker within the first three days of the required holding period, shelter personnel qualified to verify the temperament of the animal shall verify whether it is feral or tame by using a standardized protocol. If the cat is determined to be docile or a frightened or difficult tame cat, the cat shall be held for the entire required holding period specified in Section 31752. If the cat is determined to be truly feral, the cat may be euthanized or relinquished to a nonprofit, as defined in Section 501 (c)(3) of the Internal Revenue Code, animal adoption organization that

agrees to the spaying or neutering of the cat if it has not already been spayed or neutered. In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for the animal released.

Section 31753. Any rabbit, guinea pig, hamster, potbellied pig, bird, lizard, snake, turtle, or tortoise that is legally allowed as personal property and that is impounded in a public or private shelter shall be held for the same period of time, under the same requirements of care, and with the same opportunities for redemption and adoption by new owners or nonprofit, as defined in Section 501(c) (3) of the Internal Revenue Code, animal rescue or adoption organizations as provided for cats and dogs. Section 17006 shall also apply to these animals. In addition to any required spay or neuter deposit, the public or private shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals adopted by new owners or released to nonprofit animal rescue or adoption organizations pursuant to this section.

Section 31754. (a) Except as provided in Section 17006, any animal relinquished by the purported owner that is of a species impounded by public or private shelters shall be held for the same holding periods, with the same requirements of care, applicable to stray dogs and cats in Sections 31108 and 31752, and shall be available for owner redemption or adoption for the entire holding period.

(b) Notwithstanding subdivision (a), kittens or puppies relinquished by the purported owner, or brought in by any other person with authority to relinquish them, to public or private shelters, may be available immediately for adoption.

(c) This section shall become operative on July 1, 2002.

Section 32001. All public pounds, shelters operated by societies for the prevention of cruelty to animals, and humane shelters, that contract to perform public animal control services, shall provide the owners of lost animals and those who find lost animals with all of the following:

(a) Ability to list the animals they have lost or found on "Lost and Found" lists maintained by the pound or shelter.

(b) Referrals to animals listed that may be the animals the owners or finders have lost or found.

(c) The telephone numbers and addresses of other pounds and shelters in the same vicinity.

(d) Advice as to means of publishing and disseminating information regarding lost animals.

(e) The telephone numbers and addresses of volunteer groups that may be of assistance in locating lost animals.

The duties imposed by this section are mandatory duties for public entities for all purposes of the Government Code and for all private entities with which a public entity has contracted to perform those duties.

Section 32003. All public pounds and private shelters shall keep accurate records on each animal taken up, medically treated, or impounded. The records shall include all of the following information and any other information required by the California Veterinary Medical Board:

(a) The date the animal was taken up, medically treated, euthanized, or impounded.

(b) The circumstances under which the animal was taken up, medically treated, euthanized, or impounded.

(c) The names of the personnel who took up, medically treated, euthanized, or impounded the animal.

(d) A description of any medical treatment provided to the animal and the name of the veterinarian of record.

(e) The final disposition of the animal, including the name of the person who euthanized the animal or the name and address of the adopting party. These records shall be maintained for three years after the date the animal's impoundment ends.

PENAL CODE

Section 597.1. (a) Every owner, driver, or keeper of any animal who permits the animal to be in any building, enclosure, lane, street, square, or lot of any city, county, city and county, or judicial district without proper care and attention is guilty of a misdemeanor. Any peace officer, humane society officer, or animal control officer shall take possession of the stray or abandoned animal and shall provide care and treatment for the animal until the animal is deemed to be in suitable condition to be returned to the owner. When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision (f). In all other cases, the officer shall comply with the provisions of subdivision (g). The cost of caring for and treating any animal properly seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid, if the seizure is upheld pursuant to this section.

(b) Every sick, disabled, infirm, or crippled animal, except a dog or cat, that is abandoned in any city, county, city and county, or judicial district may be killed by the officer if, after a reasonable search, no owner of the animal can be found. It shall be the duty of all peace officers, humane society officers, and animal control officers to cause the animal to be killed or rehabilitated and placed in a suitable home on information that the animal is stray or abandoned. The officer may likewise take charge of any animal, including a dog or cat, that by reason of lameness, sickness, feebleness, or neglect, is unfit for the labor it is performing, or that in any other manner is being cruelly treated, and provide care and treatment for the animal until it is deemed to be in a suitable condition to be returned to the owner. When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of an animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision (f). In all other cases, the officer shall comply with subdivision (g). The cost of caring for and treating any animal properly seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid.

(c) Any peace officer, humane society officer, or animal control officer shall convey all injured cats and dogs found without their owners in a public place directly to a veterinarian known by the officer to be a veterinarian who ordinarily treats dogs and cats for a determination of whether the animal shall be immediately and humanely destroyed or shall be hospitalized under proper care and given emergency treatment.

If the owner does not redeem the animal within the locally prescribed waiting period, the veterinarian may personally perform euthanasia on the animal. If the animal is treated and recovers from its injuries, the veterinarian may keep the animal for purposes of adoption, provided the responsible animal control agency has first been contacted and has refused to take possession of the animal.

Whenever any animal is transferred to a veterinarian in a clinic, such as an emergency clinic that is not in continuous operation, the veterinarian may, in turn, transfer the animal to an appropriate facility.

If the veterinarian determines that the animal shall be hospitalized under proper care and given emergency treatment, the costs of any services that are provided pending the owner's inquiry to the responsible agency, department, or society shall be paid from the dog license fees, fines, and fees for impounding dogs in the city, county, or city and county in which the animal was licensed or, if the animal is unlicensed, shall be paid by the jurisdiction in which the animal was found, subject to the provision that this cost be repaid by the animal's owner. The cost of caring for and treating any animal seized under this subdivision shall constitute a lien on the animal and the animal shall not be returned to the owner until the charges are paid. No veterinarian shall be criminally or civilly liable for any decision that he or she makes or for services that he or she provides pursuant to this subdivision.

(d) An animal control agency that takes possession of an animal pursuant to subdivision (c) shall keep records of the whereabouts of the animal from the time of possession to the end of the animal's impoundment, and those records shall be available for inspection by the public upon request for three years after the date the animal's impoundment ended.

(e) Notwithstanding any other provision of this section, any peace officer, humane society officer, or any animal control officer may, with the approval of his or her immediate superior, humanely destroy any stray or abandoned animal in the field in any case where the animal is too severely injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal.

(f) Whenever an officer authorized under this section seizes or impounds an animal based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall, prior to the commencement of any criminal proceedings authorized by this section, provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation, with the opportunity for a postseizure hearing to determine the validity of the seizure or impoundment, or both.

(1) The agency shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice of the seizure or impoundment, or both, to the owner or keeper within 48 hours, excluding weekends and holidays. The notice shall include all of the following:

(A) The name, business address, and telephone number of the officer providing the notice.

(B) A description of the animal seized, including any identification upon the animal.

(C) The authority and purpose for the seizure, or impoundment, including the time, place, and circumstances under which the animal was seized.

(D) A statement that, in order to receive a postseizure hearing, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning an enclosed declaration of ownership or right to keep the animal to the agency providing the notice within 10 days, including weekends and holidays, of the date of the notice. The declaration may be returned by personal delivery or mail.

(E) A statement that the cost of caring for and treating any animal properly seized under this section is a lien on the animal and that the animal shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in liability for this cost.

(2) The postseizure hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The seizing agency may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the seizure or impoundment of the animal and is not junior in rank to that person. The agency may utilize the services of a hearing officer from outside the agency for the purposes of complying with this section.

(3) Failure of the owner or keeper, or of his or her agent, to request or to attend a scheduled hearing shall result in a forfeiture of any right to a postseizure hearing or right to challenge his or her liability for costs incurred.

(4) The agency, department, or society employing the person who directed the seizure shall be responsible for the costs incurred for caring and treating the animal, if it is determined in the postseizure hearing that the seizing officer did not have reasonable grounds to believe very prompt action, including seizure of the animal, was required to protect the health or safety of the animal or the health or safety of others. If it is determined the seizure was justified, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal, the charges for the seizure and care of the animal shall be a lien on the animal, and the animal shall not be returned to its owner until the charges are paid and the seizing agency or hearing officer has determined that the animal is physically fit or the owner demonstrates to the seizing agency's or the hearing officer's satisfaction that the owner can and will provide the necessary care.

(g) Where the need for immediate seizure is not present and prior to the commencement of any criminal proceedings authorized by this section, the agency shall provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation, with the opportunity for a hearing prior to any seizure or impoundment of the animal. The owner shall produce the animal at the time of the hearing unless, prior to the hearing, the owner has made arrangements with the agency to view the animal upon request of the agency, or unless the owner can provide verification that the animal was humanely destroyed. Any person who willfully fails to produce the animal or provide the verification is guilty of an infraction, punishable by a fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000).

(1) The agency shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice stating the grounds for believing the animal should be seized under subdivision (a) or (b). The notice shall include all of the following:

(A) The name, business address, and telephone number of the officer providing the notice.

(B) A description of the animal to be seized, including any identification upon the animal.

(C) The authority and purpose for the possible seizure or impoundment.

(D) A statement that, in order to receive a hearing prior to any seizure, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning the enclosed declaration of ownership or right to keep the animal to the officer providing the notice within two days, excluding weekends and holidays, of the date of the notice.

(E) A statement that the cost of caring for and treating any animal properly seized under this section is a lien on the animal, that any animal seized shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in a conclusive determination that the animal may properly be seized and that the owner shall be liable for the charges.

(2) The preseizure hearing shall be conducted within 48 hours, excluding weekends and holidays, after receipt of the request. The seizing agency may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who requests the seizure or impoundment of the animal and is not junior in rank to that person. The agency may utilize the services of a hearing officer from outside the agency for the purposes of complying with this section.

(3) Failure of the owner or keeper, or his or her agent, to request or to attend a scheduled hearing shall result in a forfeiture of any right to a preseizure hearing or right to challenge his or her liability for costs incurred pursuant to this section.

(4) The hearing officer, after the hearing, may affirm or deny the owner's or keeper's right to custody of the animal and, if reasonable grounds are established, may order the seizure or impoundment of the animal for care and treatment.

(h) If any animal is properly seized under this section, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal. Furthermore, if the charges for the seizure or impoundment and any other charges permitted under this section are not paid within 14 days of the seizure, or, if the owner, within 14 days of notice of availability of the animal to be returned, fails to pay charges permitted under this section and take possession of the animal, the animal shall be deemed to have been abandoned and may be disposed of by the impounding officer.

(i) If the animal requires veterinary care and the humane society or public agency is not assured, within 14 days of the seizure of the animal, that the owner will provide the necessary care, the animal shall not be returned to its owner and shall be deemed to have been abandoned and may be disposed of by the impounding officer. A veterinarian may humanely destroy an impounded animal without regard to the prescribed holding period when it has been determined that the animal has incurred severe injuries or is incurably crippled. A veterinarian also may immediately humanely destroy an impounded animal afflicted with a serious contagious disease unless the owner or his or her agent immediately authorizes treatment of the animal by a veterinarian at the expense of the owner or agent.

(j) No animal properly seized under this section shall be returned to its owner until, in the determination of the seizing agency or hearing officer, the animal is physically fit or the owner can demonstrate to the seizing agency's or hearing officer's satisfaction that the owner can and will provide the necessary care.

(k) Upon the conviction of a person charged with a violation of this section, or Section 597 or 597a, all animals lawfully seized and impounded with respect to the violation shall be adjudged by the court to be forfeited and shall thereupon be transferred to the impounding officer or appropriate public entity for proper adoption or other disposition. A person convicted of a violation of this section shall be personally liable to the seizing agency for all costs of impoundment from the time of seizure to the time of proper disposition. Upon conviction, the court shall order the convicted person to make payment to the appropriate public entity for the costs incurred in the housing, care, feeding, and treatment of the seized or impounded animals. Each person convicted in connection with a particular animal may be held jointly and severally liable for restitution for that particular animal. The payment shall be in addition to any other fine or sentence ordered by the court.

The court may also order, as a condition of probation, that the convicted person be prohibited from owning, possessing, caring for, or having any contact with, animals of any kind and require

the convicted person to immediately deliver all animals in his or her possession to a designated public entity for adoption or other lawful disposition or provide proof to the court that the person no longer has possession, care, or control of any animals. In the event of the acquittal or final discharge without conviction of the arrested person, the court shall, on demand, direct the release of seized or impounded animals upon a showing of proof of ownership. Any questions regarding ownership shall be determined in a separate hearing by the court where the criminal case was finally adjudicated and the court shall hear testimony from any persons who may assist the court in determining ownership of the animal. If the owner is determined to be unknown or the owner is prohibited or unable to retain possession of the animals for any reason, the court shall order the animals to be released to the appropriate public entity for adoption or other lawful disposition. This section is not intended to cause the release of any animal, bird, reptile, amphibian, or fish, seized or impounded pursuant to any other statute, ordinance, or municipal regulation. This section shall not prohibit the seizure or impoundment of animals as evidence as provided for under any other provision of law.

(l) It shall be the duty of all peace officers, humane society officers, and animal control officers to use all currently acceptable methods of identification, both electronic and otherwise, to determine the lawful owner or caretaker of any seized or impounded animal. It shall also be their duty to make reasonable efforts to notify the owner or caretaker of the whereabouts of the animal and any procedures available for the lawful recovery of the animal and, upon the owner's and caretaker's initiation of recovery procedures, retain custody of the animal for a reasonable period of time to allow for completion of the recovery process. Efforts to locate or contact the owner or caretaker and communications with persons claiming to be the owner or caretaker shall be recorded and maintained and be made available for public inspection.

Section 599d. (a) It is the policy of the state that no adoptable animal should be euthanized if it can be adopted into a suitable home. Adoptable animals include only those animals eight weeks of age or older that, at or subsequent to the time the animal is impounded or otherwise taken into possession, have manifested no sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of disease, injury, or congenital or hereditary condition that adversely affects the health of the animal or that is likely to adversely affect the animal's health in the future.

(b) It is the policy of the state that no treatable animal should be euthanized. A treatable animal shall include any animal that is not adoptable but that could become adoptable with reasonable efforts. This subdivision, by itself, shall not be the basis of liability for damages regarding euthanasia.

AB 1856 (Vincent)

FOOD AND AGRICULTURE CODE

Section 30503. (a) (1) Except as otherwise provided in subdivision (b), no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away to a new owner any dog that has not been spayed or neutered.

(2) For the purposes of this section a "rescue group" is a for-profit or not-for-profit entity, or a collaboration of individuals with at least one of its purposes being the sale or placement of dogs that have been removed from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane shelter or that have been previously owned by any person other than the original breeder of that dog.

(b) (1) If a veterinarian licensed to practice veterinary medicine in this state certifies that a dog is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the dog to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars ($40), and not more than seventy-five dollars ($75).

(2) The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of dogs.

(3) The deposit shall be temporary, and shall only be retained until the dog is healthy enough to be spayed or neutered, as certified by a veterinarian licensed to practice veterinary medicine in this state.

(4) The dog shall be spayed or neutered within 14 business days of that certification.

(5) The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation.

(6) If the adopter or purchaser presents proof of spaying or neutering to the entity from which the dog was obtained within 30 business days of obtaining the proof, the adopter or purchaser shall receive a full refund of the deposit.

(c) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

(d) Any funds from unclaimed deposits made pursuant to this section, as it read on January 1, 1999, and any funds from deposits that are unclaimed after January 1, 2000, may be expended only for programs to spay or neuter dogs and cats, including agreements with a society for the prevention of cruelty to animals or a humane society or licensed veterinarian to operate a program to spay or neuter dogs and cats.

(e) This section only applies to a county that has a population exceeding 100,000 persons as of January 1, 2000, and to cities within that county.

Section 30504. For purposes of this division, each member of a litter of puppies, weaned or unweaned, shall be treated as an individual animal.

Section 30520. (a) This chapter only applies to a county that has a population of less than 100,000 persons as of January 1, 2000, and to cities within that county. A county whose population exceeds 100,000 persons in a year subsequent to January 1, 2000, shall be subject to Chapter 1 (commencing with Section 30501) commencing on January 1 of the year immediately following the year in which the population of that county exceeds 100,000 persons.

(b) Except as otherwise provided in this chapter, no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away any dog that has not been spayed or neutered.

(c) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may not transfer to a new owner a dog that has not been spayed or neutered, except as provided in subdivision (d).

(d) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may transfer to a new owner a dog that has not been spayed or neutered only if the animal shelter does both of the following:

(1) Requires a written agreement, executed by the recipient, acknowledging the dog is not spayed or neutered and the recipient agrees in writing to be responsible for ensuring the dog will be spayed or neutered within 30 business days after the agreement is signed.

(2) Receives from the recipient a sterilization deposit of not less than forty dollars ($40) and not more than seventy-five dollars ($75), the terms of which are part of the written agreement executed by the recipient under this section.

(e) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

Section 30521. (a) A spaying or neutering deposit may be either of the following:

(1) A portion of the adoption fee or other fees rendered in acquiring the dog, which will enable the adopter to take the dog for spaying or neutering to a veterinarian with whom the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group has an agreement that provides that the veterinarian will bill the shelter directly for the sterilization.

(2) A deposit that is both of the following:

(A) Refundable to the recipient if proof of spaying or neutering of the dog is presented to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group not more than 30 business days after the date the dog is spayed or neutered.

(B) Forfeited to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group if proof of spaying or neutering is not presented to the animal shelter within 30 business days.

(b) A spaying or neutering deposit shall be in the amount determined by the shelter, but shall not be less than forty dollars ($40) and shall not exceed seventy-five dollars ($75).

(c) All spaying or neutering deposits forfeited or unclaimed under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group and shall be used by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group only for the following purposes:

(1) A program to spay or neuter dogs and cats.

(2) A public education program to reduce and prevent overpopulation of dogs and cats, and the related costs to local government.

(3) A followup program to ensure that dogs and cats transferred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group are spayed or neutered in accordance with the agreement executed under subdivision (d) of Section 30520.

(4) Any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this chapter.

Section 30522. (a) (1) If a recipient fails to comply with the spaying or neutering agreement within 30 business days after the agreement is signed, the recipient shall forfeit the sterilization deposit and is subject to a fine pursuant to Section 30523.

(2) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in Section 30523. The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane shelter, or rescue group. Any funds collected under this section shall be expended for the purpose of humane education, programs for low-cost spaying and neutering of dogs and cats, and any additional costs incurred by the animal shelter in the administration of the requirements of this chapter.

(3) If the owner, at any time subsequent to 30 business days after the spaying or neutering agreement was signed, provides proof of spaying or neutering, the deposit shall be forfeited, but any fine levied but not yet paid, shall be waived.

(b) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may extend the date by which spaying or neutering is to be completed at its discretion for good cause shown. Any extension shall be in writing.

(c) If a veterinarian licensed to practice veterinary medicine in this state certifies that a dog is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the dog to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars ($40), and not more than seventy-five dollars ($75). The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of dogs. The deposit shall be temporary, and shall be retained only until the dog is healthy enough to be spayed or neutered as certified by a veterinarian licensed to practice veterinary medicine in this state. The dog shall be spayed or neutered within 14 business days of that certification. The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation. If the adopter or purchaser presents proof of spaying or neutering to the entity from which the dog was obtained within 30 business days, the adopter or purchaser shall receive a full refund of the deposit.

(d) If an adopted dog dies within the spaying or neutering period provided for in the written agreement pursuant to Section 30520, subdivision (c) shall not apply to the dog. In that case, the recipient may receive a reimbursement of the sterilization deposit by submitting to the public

animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group within the sterilization period a signed letter from a veterinarian licensed to practice medicine in this state stating that the animal has died. The letter shall include a description of the dog.

Section 30523. (a) (1) A person who commits any violation of subdivision (b) is subject to a civil penalty of not less than fifty dollars ($50) on a first violation of subdivision (b), and a civil penalty of not less than one hundred dollars ($100) on any second or subsequent violation of subdivision (b).

(2) An action for a penalty proposed under this section may be commenced by the administrator of the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from which the recipient obtained the animal that is the subject of the violation in a court of competent jurisdiction.

(b) A person is subject to the civil penalties pursuant to subdivision (a) if that person does any of the following:

(1) Falsifies any proof of spaying or neutering submitted for the purpose of compliance with this chapter.

(2) Provides to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group or a licensed veterinarian inaccurate information regarding ownership of any dog required to be submitted for spaying or neutering under this chapter.

(3) Submits to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group false information regarding sterilization fees or fee schedules.

(4) Issues a check for insufficient funds for any spaying or neutering deposit required under this chapter.

(c) All penalties collected under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group imposing the penalties, to be used solely for purposes provided for under subdivision (c) of Section 30521.

Section 30524. Local ordinances concerning the adoption or placement procedures of any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall be at least as restrictive as this chapter.

Section 30525. Whenever a dog license tag is issued pursuant to this division, the tag shall be issued for one-half or less of the fee required for a dog, if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered.

Section 30804.7. (a) The owner of a nonspayed or unneutered dog that is impounded once by a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society, shall be fined thirty-five dollars ($35) on the first occurrence, fifty dollars ($50) on the second occurrence, and one hundred dollars ($100) for the third or subsequent occurrence. These fines are for unneutered impounded animals only, and are not in lieu of any fines or impound fees imposed by any individual city, county, public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter.

(b) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in subdivision (a). The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of dogs, and any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this division.

(c) This section applies to each county and cities within each county, regardless of population.

(d) No city or county, society for the prevention of cruelty to animals, or humane society is subject to any civil action by the owner of a dog that is spayed or neutered in accordance with this section.

Section 31751. For the purposes of this division, each member of a litter of kittens, weaned or unweaned, shall be treated as an individual animal.

Section 31751.3. (a) (1) Except as otherwise provided in subdivision (b), no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away to a new owner any cat that has not been spayed or neutered.

(2) For the purposes of this section, a "rescue group" is a for-profit or not-for-profit entity, or a collaboration of individuals with at least one of its purposes being the sale or placement of cats that have been removed from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane shelter or that have been previously owned by any person other than the original breeder of that cat.

(b) (1) If a veterinarian licensed to practice veterinary medicine in this state certifies that a cat is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the cat to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars ($40), and not more than seventy-five dollars ($75).

(2) The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of cats.

(3) The deposit shall be temporary, and shall only be retained until the cat is healthy enough to be spayed or neutered, as certified by a veterinarian licensed to practice veterinary medicine in this state.

(4) The cat shall be spayed or neutered within 14 business days of that certification.

(5) The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation.

(6) If the adopter or purchaser presents proof of spaying or neutering to the entity from which the cat was obtained within 30 business days of obtaining the proof, the adopter or purchaser shall receive a full refund of the deposit.

(c) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with

each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

(d) Any funds from unclaimed deposits made pursuant to this section, as it read on January 1, 1999, and any funds from deposits unclaimed after January 1, 2000, may be expended only for programs to spay or neuter cats and dogs, including agreements with a society for the prevention of cruelty to animals or a humane society or licensed veterinarian, to operate a program to spay or neuter cats and dogs.

(e) This section only applies to a county that has a population exceeding 100,000 persons as of January 1, 2000, and to cities within that county.

Section 31751.7. (a) The owner of a nonspayed or unneutered cat that is impounded once by a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society, shall be fined thirty-five dollars ($35) on the first occurrence, fifty dollars ($50) on the second occurrence, and one hundred dollars ($100) for the third or subsequent occurrence. These fines are for unneutered impounded animals only, and are not in lieu of any fines or impound fees imposed by any individual city, county, public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter.

(b) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in subdivision (a). The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of cats, and any additional costs incurred by the animal shelter in the administration of the requirements of this division.

(c) Local ordinances concerning the adoption or placement procedures of any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall be at least as restrictive as this division.

(d) This section applies to each county and cities within each county, regardless of population.

(e) No city or county, society for the prevention of cruelty to animals, or humane society is subject to any civil action by the owner of a cat that is spayed or neutered in accordance with this section.

Section 31760. (a) This chapter only applies to a county that has a population of less than 100,000 persons as of January 1, 2000, and to cities within that county. A county whose population exceeds 100,000 persons in a year subsequent to January 1, 2000, shall be subject to Chapter 1 (commencing with Section 31751) commencing on January 1 of the year immediately following the year in which the population of that county exceeds 100,000 persons.

(b) Except as otherwise provided in this chapter, no public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group shall sell or give away any cat that has not been spayed or neutered.

(c) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may not transfer to a new owner a cat that has not been spayed or neutered, except as provided in subdivision (d).

(d) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may transfer to a new owner a cat that has not

been spayed or neutered only if the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group does both of the following:

(1) Requires a written agreement, executed by the recipient, acknowledging the cat is not spayed or neutered and the recipient agrees in writing to be responsible for ensuring the cat will be spayed or neutered within 30 business days after the agreement is signed.

(2) Receives from the recipient a sterilization deposit of not less than forty dollars ($40) and not more than seventy-five dollars ($75), the terms of which are part of the written agreement executed by the recipient under this section.

(e) Public animal control agencies or shelters, society for the prevention of cruelty to animals shelters, humane society shelters, and rescue groups may enter into cooperative agreements with each other and with veterinarians in lieu of requiring spaying and neutering deposits to carry out this section.

Section 31761. (a) A spaying or neutering deposit may be either of the following:

(1) A portion of the adoption fee or other fees rendered in acquiring the cat, which will enable the adopter to take the cat for spaying or neutering to a veterinarian with whom the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group has an agreement that provides that the veterinarian will bill the shelter directly for the sterilization.

(2) A deposit that is both of the following:

(A) Refundable to the recipient if proof of spaying or neutering of the cat is presented to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group not more than 30 business days after the date the cat is spayed or neutered.

(B) Forfeited to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group if proof of spaying or neutering is not presented to the animal shelter within 30 business days.

(b) Deposits shall be in the amount determined by the shelter, but shall not be less than forty dollars ($40) and shall not exceed seventy-five dollars ($75).

(c) All spaying or neutering deposits forfeited or unclaimed under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group and shall be used by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group only for the following purposes:

(1) A program to spay or neuter dogs and cats.

(2) A public education program to reduce and prevent overpopulation of dogs and cats, and the related costs to local government.

(3) A followup program to ensure that dogs and cats transferred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group are spayed or neutered in accordance with the agreement executed under subdivision (d) of Section 31760.

(4) Any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this chapter.

Section 31762. (a) (1) If a recipient fails to comply with the spaying or neutering agreement within 30 business days after the agreement is signed, the recipient shall forfeit the sterilization deposit and is subject to a fine pursuant to Section 31763.

(2) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code may write citations with a civil penalty stated in an amount corresponding to the violation as provided in Section 31763. The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group. Any funds collected under this section shall be expended for the purpose of humane education, programs for low cost spaying and neutering of cats and any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this chapter. This subdivision is applicable within any county.

(3) If the owner, at any time subsequent to 30 business days after the spaying or neutering agreement was signed, provides proof of spaying or neutering, the deposit shall be forfeited, but any fine levied but not yet paid, shall be waived.

(b) A public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group may extend the date by which spaying or neutering is to be completed at its discretion for good cause shown. Any extension shall be in writing.

(c) If a veterinarian licensed to practice veterinary medicine in this state certifies that a cat is too sick or injured to be spayed or neutered, or that it would otherwise be detrimental to the health of the cat to be spayed or neutered, the adopter or purchaser shall pay the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group a deposit of not less than forty dollars ($40), and not more than seventy-five dollars ($75). The entity shall establish the amount of the deposit at the level it determines is necessary to encourage the spaying or neutering of cats. The deposit shall be temporary, and shall be retained only until the cat is healthy enough to be spayed or neutered as certified by a veterinarian licensed to practice veterinary medicine in this state. The cat shall be spayed or neutered within 14 business days of that certification. The adopter or purchaser shall obtain written proof of spaying or neutering from the veterinarian performing the operation. If the adopter or purchaser presents proof of spaying or neutering to the entity from which the cat was obtained within 30 business days, the adopter or purchaser shall receive a full refund of the deposit.

(d) If an adopted cat dies within the spaying or neutering period provided for in the written agreement pursuant to Section 31760, subdivision (c) shall not apply to the cat. In that case, the recipient may receive a reimbursement of the sterilization deposit by submitting to the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group within the sterilization period a signed letter from a veterinarian licensed to practice medicine in this state stating that the animal has died. The letter shall include a description of the cat.

Section 31763. (a) (1) A person who commits any violation of subdivision (b) is subject to a civil penalty of not less than fifty dollars ($50) on a first violation of subdivision (b), and a civil penalty of not less than one hundred dollars ($100) on any second or subsequent violation of subdivision (b).

(2) An action for a penalty proposed under this section may be commenced by the administrator of the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from which the recipient obtained the animal that is the subject of the violation in a court of competent jurisdiction.

(b) A person is subject to the civil penalties pursuant to subdivision (a) if that person does any of the following:

(1) Falsifies any proof of spaying or neutering submitted for the purpose of compliance with this chapter.

(2) Provides to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group or a licensed veterinarian inaccurate information regarding ownership of any cat required to be submitted for spaying or neutering under this chapter.

(3) Submits to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group false information regarding sterilization fees or fee schedules.

(4) Issues a check for insufficient funds for any spaying or neutering deposit required under this chapter.

(c) All penalties collected under this section shall be retained by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group imposing the penalties, to be used solely for purposes provided for under subdivision (c) of Section 31761.

Section 31764. Local ordinances concerning the adoption or placement procedures of any animal shelter shall be at least as restrictive as this chapter.

Section 31765. Whenever a county, or a city that is within a county to which this chapter applies, requires cat license tags, the tag shall be issued for one-half or less of the fee required for a cat, if a certificate is presented from a licensed veterinarian that the cat has been spayed or neutered.

APPENDIX 2

BUILDING THE 21ST CENTURY SHELTER EFFICIENTLY

BUILDING THE 21ST CENTURY SHELTER EFFICIENTLY

A Response to the Question

"We located it at the Sewage Treatment Plant, so how could it possibly cost this much?"

By George Thomas Miers

I have been designing public Animal Care facilities for the past 15 years and I believe it fair to say there seems to be a general pattern during the initial development of a new public shelter design. It goes something like this.

The Setting

1) **Location** – The existing shelter is on the outskirts of town, away from daily public view and generally next to a landfill, sewage treatment plant, freeway, airport or other surplus property.

2) **Status within Local Government** – If it's a public operated facility, it is quite often under the auspices of the Police Department. While occasionally the shelter is under a different civilian department – rarely is the Director of Animal Control a department head within the local government. As a result, come budget time, there is no department head directly arguing for the Animal Control budget. Given the difficult economic constraints of most state, county and municipal budgets – particularly in California where most government agencies are financially strapped– Animal Control generally ends up last on the list.

3) **Staff Stability** – As a result of both Animal Control's relatively low status within local government, its meager budget and the difficult and often never win nature of the work, Animal Services Directors and staff tend to be more transitory than other departments which further weakens the voice of the organization within local government.

4) **Existing Shelter Design** – Most older shelters are generally poorly designed (if designed at all) and the materials used at the time they were constructed were rarely intended to withstand the rigors of every day, 24-hour use. Nor were they designed with disease control in mind, let alone today's air handling criteria, ADA requirements or structural standards. Animal support functions such as food prep, laundry, grooming and even euthanasia often occur in one room – aptly referred to as the "multi-purpose room". Hence, facility maintenance and the daily cleaning and feeding needs of the animals become the primary focus of everyone's efforts and resources. As a result, issues like animal socialization, Humane Education, People-Connect social programs and even Spay/Neuter programs often take a backseat even when they are stated priorities.

5) **Budget Requests** – Over the years the agency makes budget requests for either a new facility or significant improvements to the existing one. However, due to budget limitations, the budget requests are generally not funded.

The Breakthrough

Then something dramatic happens which thrusts the shelter into the public limelight and reminds elected officials that the **voting** public actually cares about domestic animals more than many of the elected officials' other sponsored programs. A newspaper article is published which documents the squalid conditions of the animals in the local shelter and mentions the euthanasia rate which arouses public awareness and ire; a sensational cruelty case captures the public's imagination and focuses attention on local shelters; or a grassroots' movement results in legislation like California's Hayden Bill which forces elected officials to abide by new holding requirements which most existing shelters cannot accommodate. Not long afterwards everyone starts agreeing that a new shelter is needed. A supervisor or council member calls the CAO or City Manager who in turn calls the Planning Department or Real Estate office. The first questions are generally 1) can we renovate the existing facility and maintain services while doing so? 2) if not, where can we locate a new one? and of course, 3) what will it cost? In deference to the old adage "**the first price quoted is never forgiven and never forgotten**", these questions should logically represent the most critical juncture in planning a new public facility. Unfortunately, the initial response to "**where**" and "**how much**" generally does not come from someone experienced with animal shelters, but rather from in-house staff who may never have stepped into a shelter facility. This occurs partly because it is the way things often happen in local government, but also because the mental image of animal shelters is still the dog pound of "Lady and the Tramp" – a building type which seems like it can't possibly require any particular expertise. The net result is that an "in-house" planning/real estate study concludes that due to noise and odor concerns, a similar remote location is the obvious site selection choice and while it is agreed that a better environment than the current one is needed, such a facility couldn't be more expensive than **a typical office building**. Hence a quick budget is prepared and submitted to the Board of Supervisors or City Council based upon the theory that if the old building is crowded, doubling the square footage should take care of things – (when, in fact, most new public facilities for animal shelters, police facilities, libraries, and other special use facilities generally result in a new building program which is 4 to 5 times the original building's size). Unaware of this discrepancy, and much akin to

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Ceaser's crossing of the Rubicon – the budget's "die is cast", the budget report is accepted and the real estate department goes looking for a site (generally in the same location as the existing facility). Finally, after all the key decisions are made, a resolution is passed to hire a consultant to prepare a formal study – this is, of course, where I usually come in – unaware that I've just inherited a difficult to build on site and a budget which is based on too small a building and calculated at a cost/SF which is **inappropriate** for the type of facility which needs to be constructed.

Reality

As most of today's Animal Care professionals know, a well designed domestic Animal Care Facility is physically closer to a hospital, jail or laboratory than it is to an office building and, thus, it follows that their costs are generally more than an office structure – approximately 30% more as noted in the chart below.

Approximate Construction Cost Comparison between Office Buildings and Animal Care Facilities

Building Type	SF Bay Area	Los Angeles Area	San Diego & Central Valley Areas
1.0 Mid-Level Office Building			
1.1 Building Shell *	$90-$100/SF	$80-$90/SF	$70-$80/SF
1.2 Tenant Build Out Allowance "Vanilla"	$40-$50/SF	$35-$45/SF	$30-$40/SF
Subtotal	**$130-$150/SF**	**$115-$135/SF**	**$100-$120/SF**
2.0 Public Animal Care Facility			
2.1 Building Shell	$100-$110/SF	$90-$100/SF	$80-$90/SF
2.2 Interior Build Out	$90-$100/SF	$80-$90/SF	$70-$80/SF
Subtotal	**$190-$210/SF**	**$170-$190/SF**	**$150-$170/SF**
3.0 Approximate Building Cost Difference	± $60/SF	± $55/SF	± $50/SF

* Building shell in this instance is what many developers call a "warm shell" which includes complete exterior enclosures, roof, site work, landscape, and major building systems such as restrooms, stairs, elevator, HVAC units (but no distribution) electrical service and switch gear (no distribution).

As indicated by the above figures, the most significant cost differences between a "typical" mid-level office structure and an Animal Care Facility is primarily in the interior and mechanical/plumbing systems' build-out categories. A quick comparison of some of the major interior finishes and mechanical/plumbing distribution systems and their related line item costs illustrates these differences.

The reasons for these cost differences are fairly obvious; most animal care facility surfaces need to be both non-absorbent and durable to withstand 24 hour, 7 day a week cleaning; rooms need to be designed to minimize sound transfer from barking dogs; air handling systems need to be designed to prevent disease transfer between animals, and a reliable security system is needed to prevent break-ins from those trying to illegally reclaim their confiscated animals. Add to this the need for medical treatment, euthanasia and the temporary storage of animal remains and you have a very complicated, multi-use facility with extensive plumbing, HVAC and durable building finishes. While construction costs for these facilities will vary due to a wide number of site, climate and program criteria, a comparison of typical, mid-level office building costs versus those for typical Animal Care facilities illustrates the relative differences.

Typical Construction Unit Cost Differences

Finish/Assembly	Typical Mid-Level Office		Typical New Animal Care Facility	
	Material	Installed Cost/SF	Material	Installed Cost/SF
Floor Coverings	Carpet	$2.25-$3.00	Sheet-Vinyl Epoxy-Resin coating (ERC)	$3.00-$3.50 $5.00-$6.00
Walls – includes framing, drywall and taping	Stud Wall/Gyp Bd	$5.00-$6.00	CMU & Stud Wall & Gyp Bd	$10.00-$12.00
Wall Finish	Drywall/Flat Paint	$1.75	Drywall w/epoxy paint, fiberglass wall panels	$2.75-$4.00
Cabinetry	Limited P-lam	$1.00-$1.50	Extensive P-lam & Stainless Steel	$7.00-$11.00
Ceiling	Acoustical Lay-in	$2.25-$2.75	Anti-microbial, acoustical & washable	$2.50-$3.25
Plumbing	A few extra sinks	±$0.50	Extensive Plumbing	$10.00-$12.00
HVAC Distribution	Roof-top System w/make-up air	$4.00-$5.00	Specialized systems w/100% exhaust	$8.00-$10.00
Lighting	Traditional Lay-in Lighting	$4.00-$5.00	Smaller rooms with more specialized lighting	$7.00-$8.00
Chemical Cleaning System	None	None	SMT	$1.50
Doors (total installed cost w/hardware)	Wood door w/aluminum knockdown frame	$1,200/Door	Painted/Galvanized hollow metal door & frame	$2,000/Door

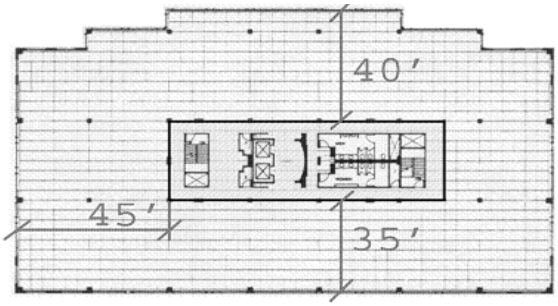
Plan Configuration and the Curse of narrow, irregular sites – While interior finishes and construction assemblies such as wall types, floor finishes, cabinetry, plumbing, and doors and frames account for the greatest cost differences compared to typical office buildings (as well as to other similar building types) the building's **plan configuration** also has a significant impact on overall cost. As evidenced by the plans below, an office building generally requires simple, flexible floor plans which maximize window offices. As a result, plans with central service cores (restrooms, elevators and stairs) are the most common layout with "lease depths" ranging from a minimum 25' (for small tenants) to a maximum 45'-50' (for larger tenants) as measured from elevator core to window wall. Such a layout generally results in a standardized structural bay (column to column spans) with a minimum perimeter wall area to interior floor area ratio. As a result, the inherent program requirements of most office buildings suggest that they be designed as, flexible, efficient boxes which future office tenants can adjust into. By contrast, plan configurations for Animal Care facilities are driven by a much wider array of very specific program criteria including;

1) **The Appropriate Arrangement of multiple exterior public and staff entrances** – including Adoption/Retrieval, Public Receiving, Public Clinic, Animal Control Officer Receiving, Staff Entrance, Deliveries and possible after hour public access to Education/ Classroom facilities.

2) **Internal Plan Adjacencies** – Once the relationship of exterior entrances are established, virtually all animal care facility spaces have a distinct, desired relationship to one another including a) the location of animal holding areas relative to public access and security, b) the relationship of animal support functions such as laundry, kitchen, grooming, etc. to animal holding habitats, c) the location of medical services to holding areas, etc.

3) **Relationship of the above noted Exterior Entrances and Internal Plan Adjacencies to the site** – Commonly referred to in my office as the **Curse of the Animal Shelter Site**, the challenge of effectively organizing Animal Care Facility program components in an efficient manner, is significantly compounded when the selected site is so small, so narrow or so irregular that it becomes a major constraint for the eventual design. A brief overview of some of our most recently completed animal care facilities illustrates the problem. Depicted on the following pages are the plans for our new City of San Jose, Contra Costa County, Oakland, San Diego and Santa Maria (Santa Barbara County) Animal Control Facilities. All of these sites, except for Santa Maria's, contained significant physical constraints which affected the overall design and cost of the facility due to either their narrow configuration (San Jose), sloping site plus narrow configuration (Contra Costa), required setbacks from both housing (to the south) and railroad track vibration (to the north) combined with a narrow site in the east/west direction (Oakland) and phasing requirements plus setbacks from adjacent residential developments (San Diego). As a result, the inherent physical attributes of each of the above four sites contributed to additional construction costs. Such costs included **a)** added circulation area needed to connect the elongated uses within the confines of the site **b)** greater perimeter wall to floor area ratio due to both elongated/irregular sites and the need to adjust internal program components to the varying site constraints, **c)** steps and retaining walls to handle grade changes and **d)** resultant, irregular structural grid layouts which created erection inefficiencies and contributed to the added cost of both structural members and roof framing. By contrast, the Santa Maria facility was located on a relatively flat, square site without imposing adjacent uses which could have affected the layout. The result was that when the inevitable cost cutting measures took place to reduce the original 27,000 SF program to 18,500 SF the site at least allowed us to develop efficient solutions for doing so.

The moral to the site selection story is that if construction cost is a major criteria, selecting a site with difficult development characteristics will further exacerbate the cost problem. Sites should be carefully studied relative to their intended program uses before they are selected, and if it is absolutely necessary to select a site which has difficult development issues, the budget should be increased to compensate for the site's problems. For purposes of accounting, these added construction costs should be looked on as additional site purchase costs – not construction cost. Unfortunately, this acknowledgement rarely takes place.



TYPICAL OFFICE BUILDING FLOOR PLAN
20,000 SF / FLOOR



SANTA MARIA ANIMAL SERVICES SHELTER
18,500 SF

Learning from Experience

The ongoing budget dilemma confronted by both public and private animal care organizations, combined with the sharp rise in construction costs during 2004 (approximately 10% according to most construction indexes) and the specter of continuing increases in 2005 as oil and related petroleum products escalate, has led me to search for a more efficient way of meeting my client's building needs. In the last few months alone, three very different clients who shared the common problem of a minimal reconstruction budget, the City of El Cajon Animal Services Agency, Shasta County Animal Services and Valley Oak SPCA of Visalia – have each articulated a similar new construction design challenge – namely, they would like the same level of internal state-of-the-art adjacencies, building systems and finishes as some of the most recently completed facilities, but they need them developed in a less expensive and, to a certain extent, more "unassuming" manner. The latter point was particularly driven home by Shasta County's CAO who made it clear that the image (and cost) of a "high style" urban shelter (like our San Diego or Contra Costa facilities) was not going to be well received in Shasta County! Having clearly heard the message, I have been developing a building type approach to the design of both Animal Control as well as private "Humane Society" facilities which combine the following lessons learned from many of our previous projects.

A. Exterior "Shell" Related

1) **Simplify the building's overall form** while maintaining over internal adjacencies.

2) **Standardize structural components.**

3) **Simplify roof framing and roof penetrations.**

4) **Develop an overall framing system which allows the building envelope to be weather-tight in a shorter time frame** – thus, reducing construction time, overhead costs and the impact of weather delays.

B. Interior Build-Out

1) **Maintain the same level of durable materials.** This is not an area worth compromising if long range maintenance costs are taken into account.

2) **Maintain the same level of HVAC, plumbing and cleaning systems** but organize them (particularly HVAC) in a more systematic manner which minimizes added cost to the structural frame.

3) **Simplify electrical systems** and carefully evaluate emergency power needs. An emergency generator can add $1.50 to $3.00/SF depending on the size of the building and the extent of power sources connected to it.

4) **Simplify compartmentalization of dog holding rooms relative to sound attenuation.**

C. Program Adjacencies

1) **Maintain separation of key public entrances –** such as Adoption, Public Receiving and, where appropriate, Public Clinic entrances, but do so within the context of a simpler building footprint/structural grid.

2) **Provide secure public access to all adoption and stray animals**. Organize all Adoption and Stray holding cages and kennels in a manner which allows public access to occur without the need for staff escorts and without having to enter any secure, behind-the-scenes areas. Again, do so while maintaining a simpler floor plan and structural grid.

A More Economical System's Approach

Using the above design criteria, we have developed a model plan which illustrates a general planning approach for animal care facilities which are providing animal control services or, at a minimum, receives public strays and surrenders and holds them for public identification. This plan approach is not intended to be the least expensive way to build a building – as the use of a central public access courtyard which allows the public to view all holding animals is certainly more complex and, therefore, more costly than a simple "office building" box or pre-fabricated modular barn. Rather, the exercise is intended to take the important programmatic elements of an animal control oriented shelter facility and to organize them in the most efficient and least expensive manner possible. As noted by the diagrams on the following pages, there are two variations of the same plan. **Option 1** is based upon a flat roof design where roof mounted HVAC units are systematically organized in concentrated areas so that only those portions of the roof need to be strengthened. **Option 2** illustrates the same plan, but with a sloped roof. Under this scenario HVAC units are located on the ground, thus freeing the roof of the added HVAC unit weight, the required roof penetrations and the need for roof screens. **Option 1** will have somewhat lower HVAC duct distribution costs since units can be centered over the areas they serve. However, the price to be paid is the added cost of roof penetrations, flashing, structural loading and potential extended construction time. **Option 2** will result in somewhat higher duct distribution costs because the average length of duct runs will be greater. However, framing and roof systems will be less and the time needed to weatherize the building will be reduced. This latter point has significant cost repercussions as it will help reduce the contractor's general conditions and overhead costs, (every day of construction equals approximately $1,000 to $2,000 of overhead general condition costs on most animal care projects) as well as minimizing time delays due to weather.

Minimum Site Area

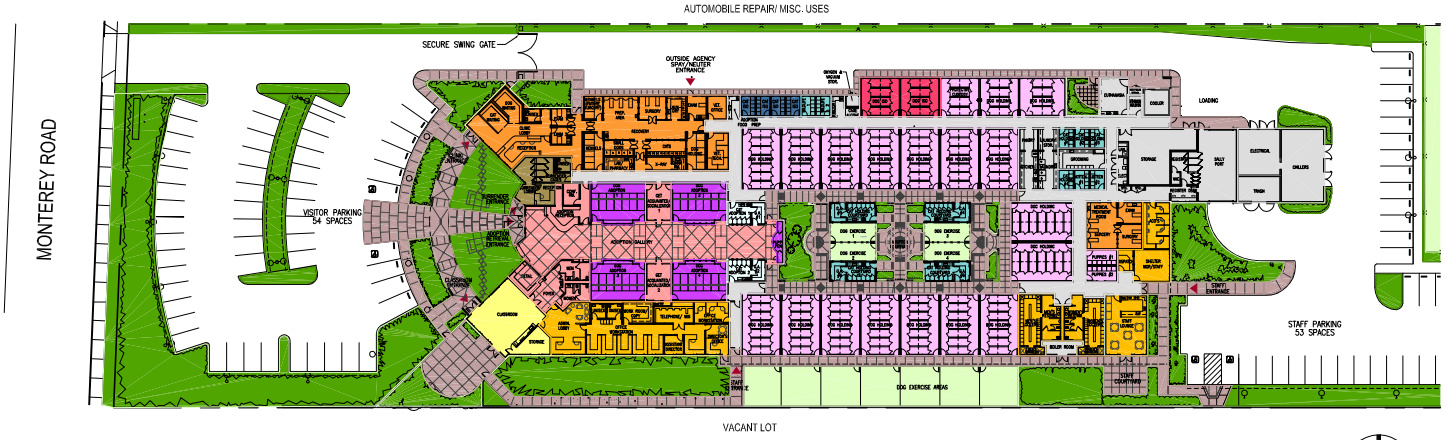
The ability to implement the above described system's approach is obviously dependent on many factors not the least of which is the client's agreement that their internal program can be satisfactorily implemented in this manner. However, it also is highly dependent upon the configuration of the site which ideally should be large enough to allow the building's form to be driven by program and engineering criteria and not the physical limitations of the site. Based upon the diagrams depicted in Options 1 and 2 as well as the experience gained from our many other animal care facility designs, we recommend the following minimum site areas and widths be maintained when considering future sites. Note that the site areas listed assume relatively flat, buildable areas with good soil conditions and supplied with adequate utilities including power, sanitary sewer, domestic water and preferably natural gas.

Animal Care Facility Minimal Site Area Criteria

Building Size	Approximate Related Site Areas (parking, landscape, exercise areas)	Minimum Recommended Site Area	Minimum "Buildable" Width
15,000 SF Program Area	* 45,000 SF	60,000 SF ±1.4 acres	200'
25,000 SF Program Area	* 60,000 SF	85,000 SF ±2 acres	225'
40,000 SF Program Area	* 90,000 SF	130,000 SF ±3 acres	250'

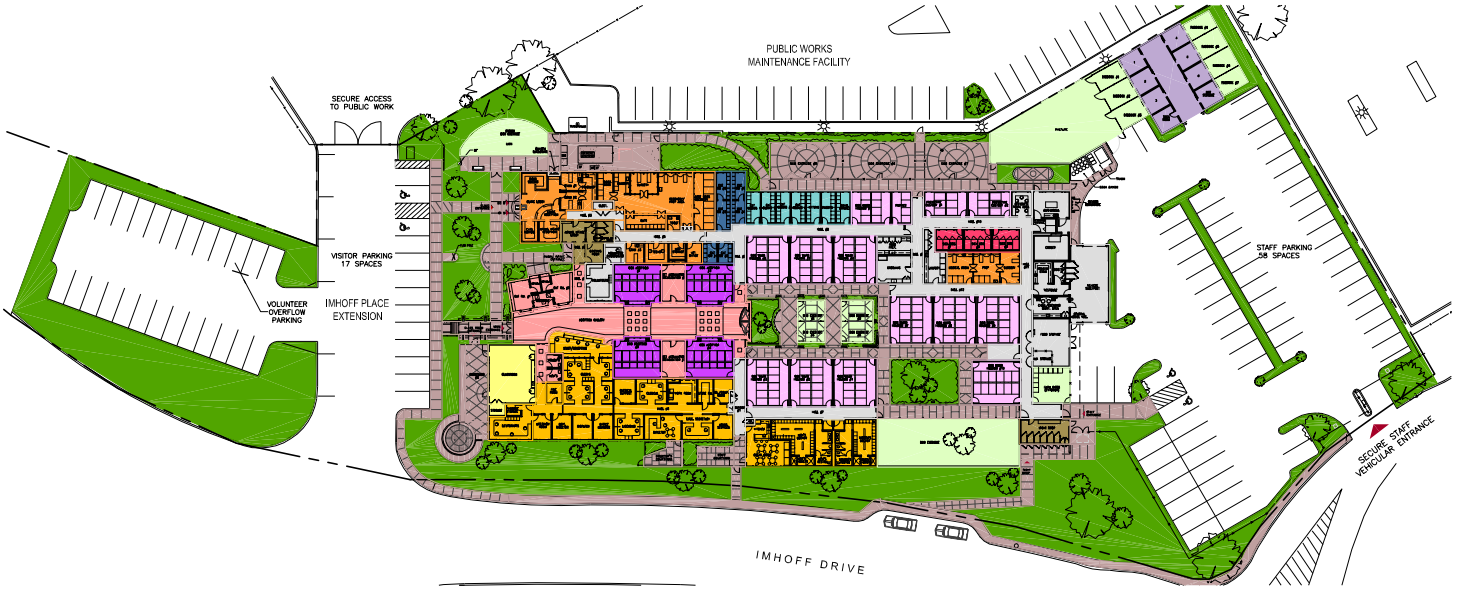
* Note that facilities which contain an outdoor wildlife area need to add this area to the above analysis. Outdoor wildlife habitat areas can vary considerably, but a "rule of thumb" would recommend a minimum dedicated area of 8,000 to 10,000 SF for caging and walkways including aviaries for large, medium and small raptors. Also, if a barn and livestock area with paddocks and small pasture is needed, an additional minimum area of approximately 15,000 SF should be added to the total of which ±1,800-2,400 SF would be for the barn itself.

George Miers is a licensed California Architect and Design Principal of George Miers and Associates, Architects and Planners. The firm specializes in the program and design of animal care facilities as well as other public buildings. Mr. Miers is also a former Board Member of the East Bay SPCA.



CITY OF SAN JOSE ANIMAL CARE CENTER

2750 MONTEREY ROAD, SAN JOSE CA 95111



CONTRA COSTA COUNTY ANIMAL SERVICES FACILITY

4800 IMHOFF PLACE , MARTINEZ, CALIFORNIA 94553

SUPPORT AREAS

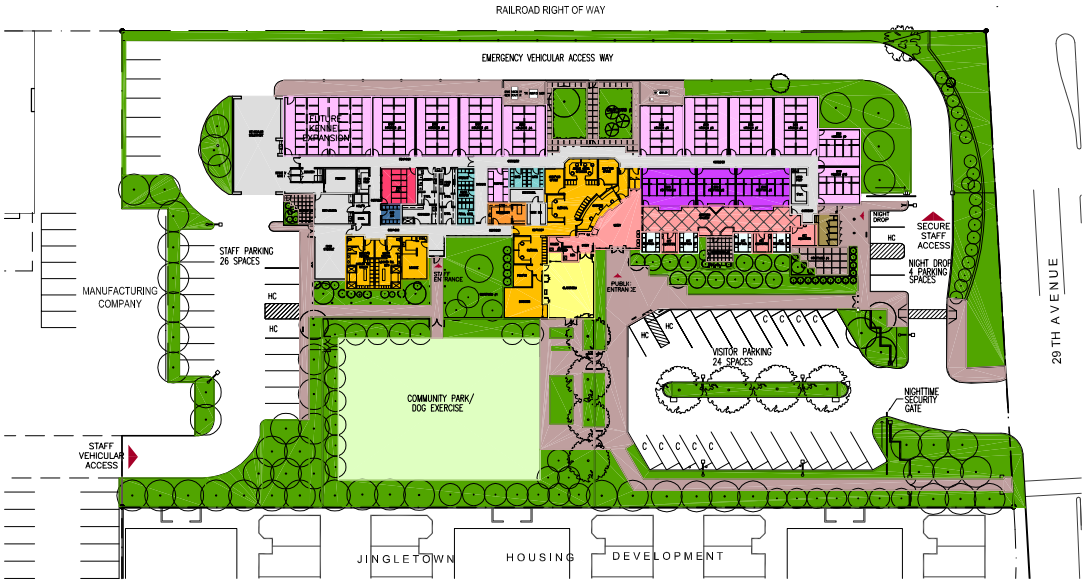
- PUBLIC ADOPTION / RETRIEVAL
- SURRENDER AREA
- CLINIC/MEDICAL AREA
- CLASSROOM
- ADMINISTRATION/LOUNGE RESTROOMS/LOCKERS
- ANIMAL & BLDG. SUPPORT AREAS

DOGS

- DOG ISO
- DOG HOLDING
- DOG ADOPTION

CATS & SMALL ANIMALS

- CAT ISO
- CAT & SMALL ANIMALS HOLDING
- CAT & SMALL ANIMALS ADOPTION



CITY OF OAKLAND ANIMAL SHELTER

1125 29TH AVENUE, OAKLAND CA.

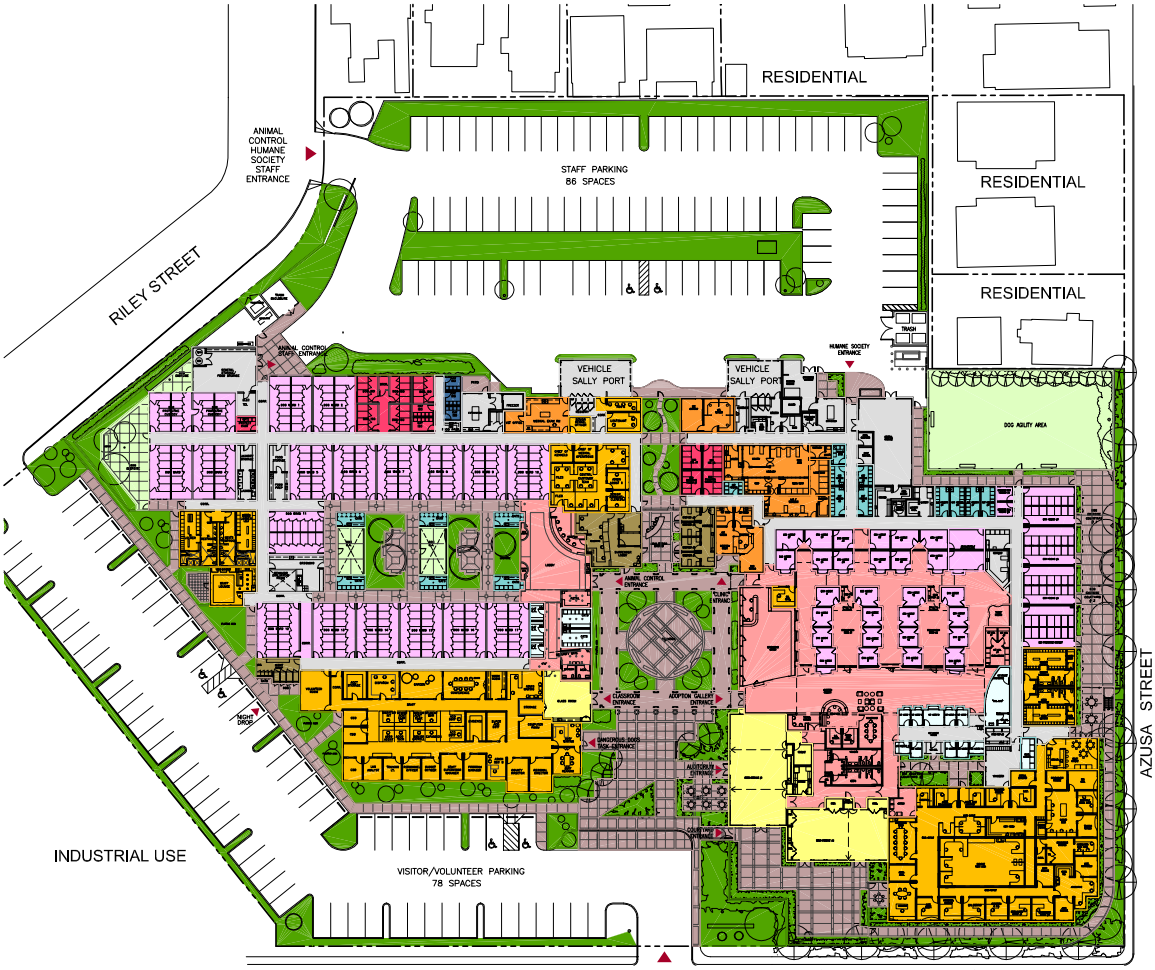
GEORGE MIERS & ASSOCIATES

Architecture/ Planning / Interior Design
1150 Moraga Way, Suite 150 Moraga, Ca. 94556
(925) 631-6900 (925) 631-6910 fax

SITE AND FLOOR PLANS

SCALE: 1"=100'-0"

0 25' 50' 75' 100'



SAN DIEGO CAMPUS FOR ANIMAL CARE

SAN DIEGO ANIMAL CONTROL $ SAN DIEGO HUMANE SOCIETY & SPCA
5500 GAINES STREET, SAN DIEGO CA.

SUPPORT AREAS

- PUBLIC ADOPTION / RETRIEVAL
- SURRENDER AREA
- CLINIC/MEDICAL AREA
- CLASSROOM
- ADMINISTRATION/LOUNGE RESTROOMS/LOCKERS
- ANIMAL & BLDG. SUPPORT AREAS

DOGS

- DOG ISO
- DOG HOLDING
- DOG ADOPTION

CATS & SMALL ANIMALS

- CAT ISO
- CAT & SMALL ANIMALS HOLDING
- CAT & SMALL ANIMALS ADOPTION



SANTA MARIA ANIMAL SERVICES SHELTER

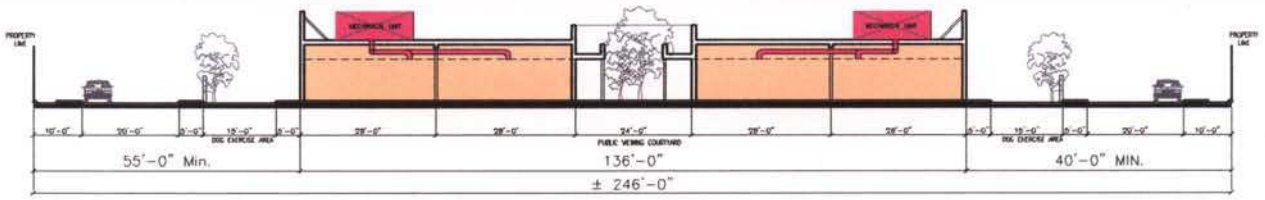
SANTA BARBARA COUNTY, CALIFORNIA

GEORGE MIERS & ASSOCIATES
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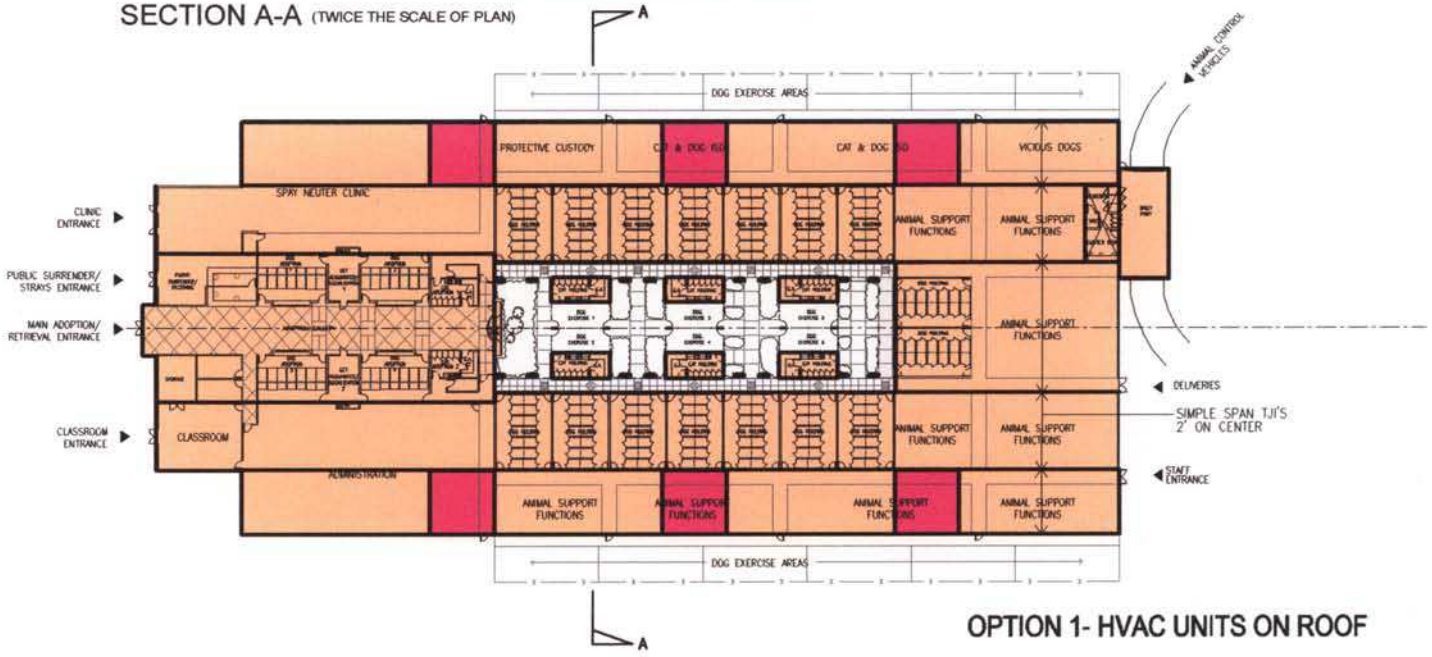
SITE AND FLOOR PLANS

SCALE: 1"=100'-0"

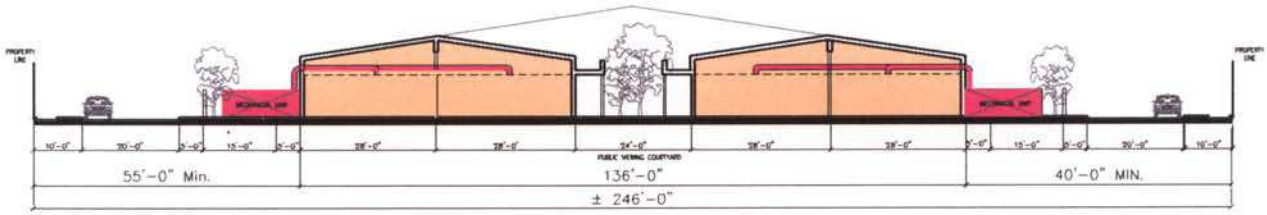
0 25' 50' 75' 100'



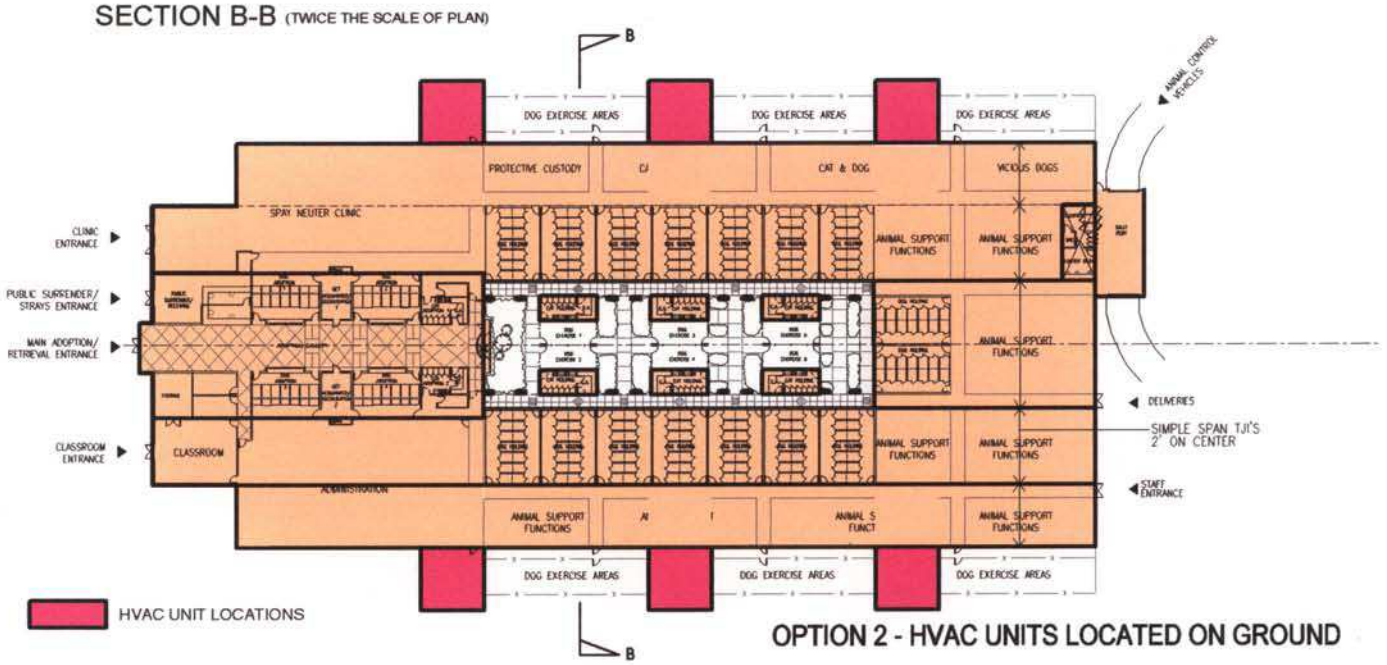
SECTION A-A (TWICE THE SCALE OF PLAN)



OPTION 1- HVAC UNITS ON ROOF



SECTION B-B (TWICE THE SCALE OF PLAN)



OPTION 2 - HVAC UNITS LOCATED ON GROUND

GEORGE MIERS & ASSOCIATES

Architecture/ Planning / Interior Design
1150 Moraga Way, Suite 150 Moraga, Ca. 94556
(925) 631-6900 (925) 631-6910 fax

PROTOTYPICAL ANIMAL SHELTER PLAN OPTIONS

SCALE: 1"=80'-0"

0 20' 40' 60' 80'

Social Services Committee

Maternal, Child and Adolescent Health Program

Introduction

The 2010-2011 Sutter County Grand Jury conducted a visit of the Sutter County Human Services Health Division, (SCHSHD) Maternal, Child and Adolescent Health Program (MCAHP).

The visit was conducted by the Health Committee on March 8, 2011. The Committee members met with Amerjit Bhattal, Assistant Director of Human Services, Dr. Lou Anne Cummings, Sutter County Health Officer, Judy Mikesell, Director of Public Nursing, and Alice Williams-Root, Public Health Nurse.

Discussion

The Health committee inquired into what programs are available for Teen Pregnancy Prevention and Teen Pregnancy. The Health Committee members met the SCHSHD management team in the Library conference room at the SCHSHD, located at 1446 Veterans Circle, in Yuba City.

The Health committee was given a very informative presentation on the MCAHP. The services of the MCAHP are mandated by federal regulation. This program is funded by Federal Title V (Federal Grant Funding for Maternal Child and Adolescent Health Programs) and State General Funds. There are no County General Funds used in this program. This is one of many programs that have been severely cut by funding.

In accordance with The Five Year Needs Assessment in 2009, the priority areas to work on in MCAHP from 2010-2014 are:

- Early and Adequate Prenatal Care
- Reducing Family and Domestic Violence
- Reducing Preventable Injuries and Death of Children and Adolescents

The message the MCAHP wants to get out is "*Teen Years Are For Planning Your Future NOT For Having a Baby"*. Educating adolescents on prevention early on is important. Educating parents on how to talk to their adolescents on this subject is also very important. The problem MCAHP faces is how to get the message out to the public.

Planned Parenthood is working with the federal and state governments to ensure access to real sex education programs. These programs give young people the comprehensive, medically accurate, unbiased and culturally competent information they need to make responsible decisions and stay healthy.

The purpose of the Teen Pregnancy Prevention Program is to utilize a variety of approaches and strategies to reduce teenage and unintended pregnancy and absentee fatherhood, promote responsible parenting, and assist adolescents in accessing clinical services. MCAHP offers a support network for teen parents.

These programs teach the teen mom parenting skills and the positive effects of good parenting. They are taught the safety and dangers of caring for their baby, including shaken baby syndrome. They have support groups with other teens who share the same situation.

The skills they are taught can lead them into a more productive life. They learn that there are positive results by raising a child with good parenting skills. Teen parents can express their concerns, ask questions, gain support, and receive a valuable insight on parenting issues.

The teen mom is encouraged to continue with her high school education and get a diploma or study to pass the General Educational Development (GED) test.

Sutter County Department of Human Services

Introduction

The 2010-2011 Sutter County Grand Jury conducted a visit to the Department of Human Services on November 9, 2010, to learn more about In-Home Supportive Services (IHSS), Women, Infants and Children (WIC) and Public Guardian-Conservator.

The visit was conducted by members of the Human Services Committee. The members met with Tom Sherry, Director of Human Services, Lori Harrah, In Home Supportive Services, Amerjit Bhattal, Health Services (WIC), and Janet Wade, Public Guardian-Conservator.

Discussion

In Home Supportive Services (IHSS)

Lori Harrah gave an overview of the services provided by the IHSS program. This program is provided in all 58 counties within California for the Aged, the Blind, and the Disabled. It allows the Recipients of this program to remain in their own homes and have providers go to the home to provide care and to prevent them from going into institutional care facilities.

Social Workers do home visits to assess the need of the recipient. There are 850 Recipients on IHSS within Sutter County.

The Public Authority is mandated by state law to work in conjunction with Sutter County's In-Home Supportive Program. The role of the IHSS Public Authority:

- Develop and maintain a Registry of IHSS Homecare Providers
- Match consumers and providers
- Check the IHSS Homecare Providers background and qualifications
- Provide Training to Providers and Consumers

IHSS Public Authority providers offer personal care and domestic services to those who are elderly, disabled, or blind, which allow persons to remain safely in their own homes.

An IHSS Homecare provider is a person who provides personal and domestic services to In-Home Supportive Services eligible consumers. Duties may include personal assistance with dressing and bathing, as well as other household tasks.

An IHSS Consumer is a qualified, (usually SSI client) eligible elderly, blind, or disabled person unable to remain safely in his or her home without the assistance of a Homecare Provider.
Two people work for the Public Authority for Sutter County. There is also a board called the IHSS Public Authority Governing Board, which is the Sutter County Board of

Supervisors. They have partnered with the District Attorney and a Multi Disciplinary team on a $160,000 Fraud Protection Plan.

Women, Infants and Children (WIC)

Amerjit Bhattal provided an overview of services provided by WIC, which is a national nutrition education program funded by the federal government. WIC promotes eating healthy and staying healthy. Clients get nutrition advice and special checks to buy healthy foods for pregnant women, new moms (up to 6 month after delivery), breast-feeding mothers (up to 1 year after delivery), infants, and children under 5 years old (including foster children).

Services provided include nutrition and health assessment, individual counseling and group classes, referrals to finding a doctor or dentist and health insurance. It also provides reminders about immunizations and referrals to other community programs that help families.

To qualify for WIC benefits, the family must live and work in Sutter County and meet the income eligibility, which includes receiving Medi-Cal, food stamps, and Temporary Assistance for Needy Families (TANF).

There are approximately 4,400 people in Sutter County currently using this program for a cost to the county of $965,000.00 per month.

Sutter County has been working with the grocery stores in the area, which helps put $300,000 per month into the local economy.

Sutter Helps.org is a website devoted to helping people connect to WIC and other agencies within Sutter County. They won an award for this website.

Public Guardian

Janet Wade from the Public Guardian/Conservator gave an overview of what this office is responsible for. They have 37 LPS Conservatives and 28 Probate Conservatives.

The Public Guardian-Conservator conducts the investigation into conservatorship matters and acts as the legally appointed conservator for persons found by the courts to be unable to properly care for themselves and/or finances. This starts out with a psychiatric visit to access the mental health of the person. Such persons usually suffer from severe mental illness or are older, frail, and vulnerable adults.

A conservator for an LPS conservative is a one year commitment. The conservator arranges for care and protection, determines where they live, their health care, transportation, and recreation. They also manage their finances, paying their bills and protecting their assets. They are re-evaluated at the end of that year to see if they are capable to begin doing things on their own or continue with the conservatorship. County

Counsel is the representative for the Public Guardian and would represent them in any court investigations.

Continuity Committee

Department of Child Support Services

Findings from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury finds the interview rooms need to be reconfigured to insure the safety of the staff.

The Grand Jury finds the sliding glass windows in the reception and "check-in" area are in need of security modifications.

The Grand Jury finds the office procedures protect the identity and privacy of clients.

The Grand Jury finds the patio area is unsecured and a safety concern.

Recommendations from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury recommends the interview rooms be reconfigured to provide a safety barrier between staff and clients.

The Grand Jury recommends replacement of the current sliding glass windows in the reception and "check-in" area with bullet-proof glass for security of the office and staff.

The Grand Jury recommends destroying the closed files located in the off-site rental storage.

The Grand Jury recommends the patio area be enclosed and secured as a top priority issue.

Response from the 2010-2011 Sutter County Grand Jury

The Grand Jury acknowledges the above recommendations have been met with the exception of destroying the closed files, which is in process.

Leo Chesney Community Correctional Facility

Findings from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury finds the LCCCF informational packets are not current.

The Grand Jury finds LCCCF library is small with very few books.

The Grand Jury finds dental and gynecological services are not provided locally.

Recommendations from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury recommends the LCCCF informational packets be updated.

The Grand Jury recommends LCCCF solicit donated books for the onsite library.

The Grand Jury recommends dental and gynecological services be provided locally.

Response from the 2010-2011 Sutter County Grand Jury

The Grand Jury acknowledges the response from LCCCF for which they concur with the exception of medical services, which are provided by Department of Corrections and Rehabilitation.

Sutter County Jail

Findings from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury finds the need for video surveillance cameras for all squad cars.

The Grand Jury finds the need for the purchase and installation of video surveillance cameras in the sleeping areas.

The Grand Jury finds the need for additional food storage space.

The Grand Jury finds the minimum security area needs to be upgraded to medium security.

Recommendations from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury recommends the continued search for grants and budgeting to provide video surveillance cameras in all squad cars.

The Grand Jury recommends the video surveillance cameras be purchased and installed in the sleeping areas as funds become available.

The Grand Jury recommends acquiring additional food storage space to purchase food in bulk quantities.

The Grand Jury recommends upgrading the minimum security area to medium security by bringing this area up to security and fire codes.

Response from the 2010-2011 Sutter County Grand Jury

The Grand Jury acknowledges the response from the Sutter County Sheriff for which they concur.

Yuba City Police Department

Findings from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury finds the YCPD received a grant to purchase a DUI trailer.

The Grand Jury finds the patrol cars are not equipped with video cameras.

Recommendations from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury recommends Chief Landon follow through with grant funding for the additional DUI trailer.

The Grand Jury recommends the YCPD continue to pursue funds to equip patrol cars with video cameras.

Response from the 2010-2011 Sutter County Grand Jury

The Grand Jury acknowledges the above recommendations have been met.

Yuba-Sutter Juvenile Hall

Findings from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury finds the visitors'/ receiving area needs to be updated with added security.

The Grand Jury finds the control room needs to be updated.

The Grand Jury finds the cell windows are in need of replacement.

The Grand Jury finds the cell doors are deeply engraved with graffiti.

The Grand Jury finds the walls in the multi-purpose room are in need of repairs.

The Grand Jury finds the needed funds for repairs are unavailable at this time.

Recommendations from the 2009-2010 Sutter County Grand Jury Final Report

The Grand Jury recommends updating the visitors'/ receiving area.

The Grand Jury recommends updating the control room equipment.

The Grand Jury recommends replacing the cell windows.

The Grand Jury recommends removing the graffiti.

The Grand Jury recommends the walls in the multi-purpose room be repaired.

The Grand Jury recommends the continued search for grants.

Response from the 2010-2011 Sutter County Grand Jury

The Grand Jury has found updating the visitor's center/receiving area, control room equipment, cell windows, and graffiti removal in the Juvenile Hall along with other general refurbishing have not been completed due to lack of funding.