

Mayor
Lois Wynne
Mayor Pro Tem
Jeff Chedester
Council Members
Ray Madrigal
Edward Neal
William Siegel



**Office of City
Manager**

119 Fox Street
Lemoore, CA 93245
Phone (559) 924-6700
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Staff Report

ITEM NO. 2-4

To: Lemoore City Council
From: Ron Hoggard, Interim City Manager *RH*
Date: April 2, 2015 **Meeting Date:** April 7, 2015
Subject: Grand Jury Response – Kings County Animal Control

Discussion:

A copy of the Grand Jury report concerning Kings County Animal Control is attached for your review. In keeping with Penal Code Section 933 (c), the governing body of the public agency shall comment to the presiding judge of the Superior Court on the findings and recommendations.

Also attached is a response to the findings and recommendations respectfully submitted for your approval.

Budget Impact:

No budget impact at this time.

Recommendation:

That the Lemoore City Council, by motion, approve the response to the Grand Jury and authorize the Mayor to sign.

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April 2, 2015

Honorable Thomas DeSantos
Kings County Superior Court
1426 South Drive
Hanford, CA 93230

Dear Judge DeSantos:

The City of Lemoore has received the Grand Jury Report titled “Kings County Animal Control.” As requested, we are providing the following comments to the recommendations contained in the report.

Finding 12:

The Grand Jury found that Lemoore charges \$15 for a one-year license for a spayed or neutered dog and \$25 for a non-spayed or unneutered dog. This does not comply with CGC §38792(b)²⁶ and Cal. FAC §30804.5²⁷.

Recommendation 12:

Comply with CGC §38792(b) and Cal. FAC §30804.5.

Lemoore Police Chief Comments:

The Lemoore Police Department will soon present to City Council for approval a change to our current ordinance which will require mandatory spay and neutering for all dog permits issued by the City with the exception of those pet owners who are requesting a breeder permit. The fee for a spayed or neutered dog will be set at \$15 for a one-year license. These changes to the ordinance will comply with CGC §38972(b) and Cal. FAC §30804.5.

City Comments:

The City concurs with the Lemoore Police Chief.

Finding 13:

The Grand Jury found that Lemoore does not accept credit or debit cards.

Recommendation 13:

Lemoore should investigate the implementation and acceptance of debit and/or credit cards to make the programs more user friendly for the public. This would also reduce the need to keep cash at the Shelter and make the process safer for the staff and public. This method of payment is allowed by Cal. FAC §31255²⁸ if the City Council would authorize it. A surcharge may be imposed to cover the rate of discount that the credit or debit card issuer debits the local agency.

City Comments:

The City of Lemoore will be investigating in the future an upgrade to our current finance computer programming system and the upgrade has the ability to accept debit and/or credit cards.

Finding 14:

The Grand Jury found that Lemoore reports that they do not fine the owner of any unaltered animal impounded by animal control and has not been spayed or neutered. This does not comply with Cal. FAC §30804.7²⁹.

Recommendation 14:

Comply with California Food and Agriculture Code §30804.7.

Lemoore Police Chief Comments:

Section 30804.7 (Food and Agriculture) provides in subdivision (b) that an animal control officer or peace officer "... may write citations with a civil penalty in an amount corresponding to the violation as provided in subdivision (a)"[emphasis added].

Subdivision (a) provides that civil fines "shall" be required for any citation issued in the amount of \$35, \$50 or \$100 depending on the level of occurrence.

This recommendation will be addressed in the aforementioned proposed changes to our animal control ordinance and should Lemoore Animal Control Officers, or any Lemoore Peace Officer issue a civil citation, the civil fines will be imposed pursuant to section 30804.7 of the California Food and Agriculture Code.

City Comments:

The City concurs with the Lemoore Police Chief.

Respectfully submitted,

Lois Wynne
Mayor



TRANSMITTAL FORM
Kings County Grand Jury

Kings County
Grand Jury Final Report
2014-2015

I hereby acknowledge receipt of **six** copies of the 2014- 2015 final report.

Kings County Animal Control

I accept that I am required by California Penal Code §933(c) to reply within 90 days to the presiding judge.

This report may be published after two working days of receipt.

This copy is directed to: **Lemoore City Council**

Print Name:

Marisa Laurencio

Signature:

Marisa Laurencio

Title / Position:

Office Assistant

Month/Day/Year:

03/04/15

Time:

1:15 pm

Witness: _____

KINGS COUNTY ANIMAL CONTROL

Homes Needed For Homeless Pets

SUMMARY

The care of stray and abandoned animals has developed public interest in Kings County. The following two codes provide the authority for the Grand Jury to investigate animal control programs in Kings County.

California Penal Code §925 provides: "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county..."

California Penal Code §925a provides: "The grand jury may investigate and report on the operation, accounts, and records of the officer, departments, or functions of any incorporated city located in the county..."

Kings County has two government operated animal shelters. One is in Hanford, run by Kings County and the other in Avenal operated by the City of Avenal. There are several animal control departments located in the county. These include Kings County Animal Services and Shelter, Hanford Animal Control, Lemoore Animal Control, Corcoran Animal Control, and Avenal Animal Control and Shelter. These departments are under the Kings County Sheriff's Office or the local police departments. The Grand Jury was impressed with the staff of each facility. The staff of the various facilities exhibited an outstanding devotion to the care of the animals in their custody. They provide excellent customer service to the residents of Kings County.

California requires fines and licensing fees for dogs which are not followed by all local agencies except for the Kings County Animal Services and Shelter. The California Government Code (CGC) and the California Food and Agricultural Code (Cal. FAC) require that the license fee for a dog which has been spayed or neutered be half or less of the fee which is charged for a dog which is not spayed or neutered. The Cal. FAC 30804.7 (a)¹ requires the owner of any dog impounded which has not been spayed or neutered be fined for each violation.

The Kings County Animal Services facility is lacking in space for the tasks they provide for the county. The Kings County Animal Services needs a larger facility to efficiently

¹ Appendix (4)

and safely do their assigned tasks. They appear to be doing an excellent job with the limited space they are provided.

Kings County Animal Services maintains a Pet Adoption Center located in the Hanford Mall where a number of smaller dogs and most cats are available for adoption in a pleasant setting. This center is open every day except Monday. Larger animals are adopted from the Shelter. All animals adopted from Kings County Animal Services and Shelter have been spayed or neutered. A microchip used for identification is implanted and all vaccinations are administered.

Spay and neutering procedures are provided by the H.O.P.E². Foundation, which stands for "Halt Overpopulation with Prevention and Education". The foundation provides a "Low Cost Spay and Neutering Clinic". They report that last year approximately 40,000 Valley dogs and cats were euthanized because there was not enough homes for them.

The Avenal Animal Shelter was built in 2010 with money from the City of Avenal General Fund. The cost of construction was 1.4 million dollars. The Shelter was well planned and provides room for expansion if needed. They are lacking in adoption success as a significant number of dogs and most of the cats at the Shelter are euthanized.

The Avenal Shelter does not provide spaying or neutering services, microchip implants, current vaccinations, or city licensing. These must be completed by the adopting family within two weeks and evidence presented to the City within 30 days.

Hanford and Lemoore Animal Control Officers transport animals to the Kings County Animal Control Services and Shelter. Corcoran Animal Control Officers transport animals to the Avenal Animal Shelter. The Hanford, Lemoore and Corcoran police departments have temporary cages to house animals prior to transporting them to the shelters. All have vehicles for animal transport. Lemoore has a vehicle on order with full heating and air-conditioning for the animals being transported. Climate control is a necessity for the safety and well-being of animals with the hot summer days experienced in the Valley.

All dogs in Hanford and Lemoore are required to be spayed or neutered unless the owners of unaltered dogs have met the requirements for a breeding permit. There is a yearly breeding permit fee of \$150 plus the license. A verification statement is required

² H.O.P.E.
5490 E. Spruce Avenue
Fresno, CA
www.hopeaf.com

from a veterinarian stating the dog is qualified for breeding. The area where the dog is kept will be inspected by the City to ensure that the dog cannot get out and run loose.

All of the agencies have access to emergency drugs for euthanizing except for the City of Hanford. Euthanasia is vital for the care of animals which have been severely injured and require relief from suffering. This is the one procedure which the Grand Jury found adversely affected the animal control officers and staff.

GLOSSARY

Euthanize, Euthanized:

The act of putting a living being (especially a dog or cat) to death humanly.

Free-roaming:

Free-roaming cats include lost, abandoned, loosely owned and stray cats.

Feral cats:

Feral cats are cats that are unable to be handled and demonstrate unsocial behavior toward people. These cats spend 100% of their time outdoors.

Neuter:

To remove the reproductive organs from a male animal.

Spay:

To remove the reproductive organs of a female animal. To make a female animal unable to reproduce.

Unaltered:

A dog which has not been spayed or neutered.

BACKGROUND

The care of stray and abandoned animals has developed public interest in Kings County. The following two codes provide the authority for the Grand Jury to investigate animal control programs in Kings County.

California Penal Code §925 provides: "The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county..."

California Penal Code §925a provides: “The grand jury may investigate and report on the operation, accounts, and records of the officer, departments, or functions of any incorporated city located in the county...”

METHODOLOGY

Tours and Interviews

The Grand Jury visited the Kings County Animal Shelter and the Avenal Animal Shelter, toured the facilities, and interviewed the staff. The Grand Jury also interviewed personnel from the police and animal control departments of Hanford, Lemoore, and Corcoran.

Documents

The Grand Jury reviewed the regulations of the State of California, Kings County, and local government regulations regarding dogs:

- Hanford Municipal Code
- Lemoore Police Department Policy Manual, Policy # 820
- Lemoore Ordinance No. 2014-07
- City of Avenal, Public Works Director monthly reports on Avenal and Corcoran
- Animal Control Activity Avenal-Corcoran Animal Control Shelter Services Agreement
- California Government Code: Title 4. California Government of Cities. Division 3. Officers. Part 2. Legislative Body. Chapter 10. Health and Safety. Article 7. Miscellaneous, §38792.
- California Civil Code. Division 4. General Provisions. Part 1. Relief. Title 2. Compensatory Relief. Chapter 2. Measure of Damages. Article 2. Damages for Wrongs, §3341-§3342.5.

- California Food and Agricultural Code
 - Chapter 1. General Provisions.
 - Chapter 2. Disposition of Funds.
 - Chapter 3. Dog Tags.
 - Chapter 3.5. Guide Dogs, Signal Dogs, and Service Dogs.
 - Chapter 4. Regulation.
 - Chapter 5. Killing and Seizure.
 - Chapter 6. Fees for Impounding.
 - Chapter 9. Potentially Dangerous and Vicious Dogs.

Kings County Animal Services and Shelter

The last Grand Jury inspection of the Kings County Animal Services and Shelter was conducted in 2003.

The Shelter is located at 10909 Bonneyview Lane, Hanford, California 93232. They receive animals from Kings County unincorporated areas, the Cities of Hanford, and Lemoore. Hanford and Lemoore Animal Control Officers transport animals from their respective cities to the Kings County Animal Shelter.

Their mission statement: "*Through community involvement, education, adoption, and humane law enforcement, we work to preserve the well-being of animals and end the homeless animal crisis in Kings County.*"

The Kings County Animal Shelter is conducting daily operations in limited space. For example, one area used as a small office was at one time a shower. The animal intake area is also used for food storage and is cramped for space. The dog and cat holding areas are clean and well maintained by the staff, volunteers, and Kings County Jail inmates. The Shelter has a maximum capacity of 500 animals with a total of 150 dogs and the remainder cats. There is a large fenced area to the rear of the Shelter for larger animals such as horses. The Grand Jury was impressed with the efficient use of the limited office and working area provided in their building.

Cats are considered free roaming by the State of California. The Shelter is in the process of not accepting cats except for sick and injured. Feral cats are euthanized by the Shelter.

Kings County requires that all animals adopted from the Shelter be spayed or neutered.

In addition, a microchip used for identification is implanted along with receiving current vaccinations. The microchip implant is used to identify the owner of the animal, and should be updated, when necessary, with new address and phone number.

Kings County Animal Services maintains a Pet Adoption Center located in the Hanford Mall where a number of dogs and cats are available for adoption. This center is open every day except Monday.

The Shelter provides spay and neutering services through a grant from Pet Smart Charities. The price for a dog or cat is free if the owner resides within certain unincorporated areas of the county such as Home Garden and Kettleman City. At the time of the inspection, the cost to spay or neuter a cat was \$25, which includes current vaccinations. The cost for dogs is dependent on weight and starts at \$65 for less than 40 pounds of weight and \$20 additional for every ten pounds over 40 pounds. Some areas of the county have a lesser fee dependent on the grant the Shelter may have at the time. The Shelter also implants microchips for identification for \$20 per animal.

The H.O.P.E. Foundation, founded in 1993, works with the Kings County Animal Services to provide low cost spay and neuter services. The Foundation reports that approximately 40,000 dogs and cats were euthanized last year in the Valley. H.O.P.E. transports approximately sixty animals a week from the Kings County Animal Shelter to their facilities in Fresno for spay/neuter procedures every Tuesday. If there are under twenty animals, the Shelter transports them to Fresno. The H.O.P.E. Foundation performs the procedures and then returns the animals back to the Shelter the next day for owner pick up. When the H.O.P.E. Foundation returns the animals on Wednesday, they may take additional animals back to Fresno for the procedure.

The dogs and cats are delivered to the Shelter to be spayed or neutered between 7:30 and 8:00 AM the day of surgery. The fees for spaying, neutering and vaccinations are payable in cash the day before the animals are dropped off at the Shelter. The Shelter accepts cash only. They do not accept checks, debit, or credit cards at this time. All payments must be made on Monday the week of surgery.

The price for a dog license for unaltered dogs in Kings County is \$50 for one year, \$100 for two years and \$150 for three years. There is a fee reduction for neutered or spayed animals to \$5 per year, \$10 for two years and \$13 for three years per animal. This complies with the CGC §38792(b)³ and Cal. FAC §30804.5⁴. There is no discount for multiple animals; a resident is allowed to have up to six animals at one time. The Shelter also has a \$50 surrender fee per animal, upon approval of the staff.

The Shelter maintains a web site at: <http://www.countyofkings.com/departments/general-services/animal-services-homepage>, which displays pictures and information of all the animals available for adoption.

Avenal Animal Control and Shelter

The current Avenal Animal Control and Shelter, located at 1284 Hydril Road, was built in 2010 with funds from the City of Avenal General Fund. Corcoran contracts with Avenal for shelter services. The City spent approximately 1.4 million dollars on the facility that houses stray/abandoned animals from Avenal and Corcoran. The animals from Corcoran are transported to the Avenal Shelter by the Corcoran Animal Control. The Animal Shelter has the capacity to house up to 19 dogs, which includes two isolation units and two quarantine cages, and up to 48 cats. They have the capability for housing larger animals outside within a large fenced area. Current site location and facility is the most modern and up to date of any public facility of its kind in Kings County. Their site

³ Appendix (1)

⁴ Appendix (3)

allows for future expansion. The Grand Jury found the facility clean, organized, and operated efficiently.

The Shelter works with rescue groups throughout California. This allows the Shelter to reduce and limit the number of animals that are euthanized. However, their monthly reports to the Avenal City Council indicate a high percentage of dogs and most of the cats received are euthanized. The Shelter reports that the cats euthanized are feral and not able to be socialized. The Shelter has a supply of euthanasia drugs. The Animal Control Officers are licensed to administer euthanasia drugs. Deceased animals are frozen and prepared for burial.

The Avenal Animal Control and Shelter has a charge refund procedure, which is unique in Kings County, for pet adoption. The initial fees are \$100 for dogs and \$85 for cats. The Shelter does not provide spaying or neutering services, microchip implants, current vaccinations, or City licensing. Upon presentation of proof that these services have been completed within 14 days, the adopter is refunded all fees except for a \$10 adoption fee. This proof must be presented to the City within 30 days. If not completed within 14 days, all fees are forfeited. The two week time frame may be extended with a veterinarians certification that an animal is too young or sick for spay, neutering or vaccinations.

The Shelter reports that they do not fine the owner of any unaltered animal that is impounded by animal control. This does not comply with Cal. FAC §30804.7⁵. The license fee for dogs is the same for both neutered and unneutered dogs. This does not comply with CGC §38792(b)⁶ and Cal. FAC §30804.5⁷.

The Grand Jury was impressed with the facilities of the Avenal Animal Shelter.

The tour ended with an interview with a member of the administrative staff of the City of Avenal, a representative of public works, and an animal control officer.

Hanford Animal Control

The Hanford Animal Control is a part of the Hanford Police Department. They currently have two full time animal control officers who work the day shift. An animal control officer is on call after normal working hours. No additional duties are assigned to the animal control officers

⁵ Appendix (4)

⁶ Appendix (1)

⁷ Appendix (3)

The animal control division operated with a budget of \$466,540 in 2014. They utilize one vehicle for animal control, a 2008 Ford F250, with accommodations for ten kennels on the bed of the truck. This vehicle was acquired from Kings County Animal Services and has connections for climate control for the animals in the truck kennels. The climate control has not been installed. They will be getting a replacement vehicle this year and indicate that this would be a good time to make the connections to the animal transportation unit which will be moved from the current vehicle to the new truck.

The price for dog license for neutered animals in Hanford is \$15 per animal with a reduced fee of \$35 for three years. Seniors pay a reduced fee of \$10 per animal and \$20 for three years. All dogs in Hanford are required to be neutered unless the owners of un-neutered dogs have met the requirements for a breeding permit. The license fees do not comply with CGC §38792(b)⁸ and Cal. FAC §30804.5⁹. There is a yearly breeding permit fee of \$150 plus the license. A verification statement is required from a veterinarian stating the dog is qualified for breeding. The area where the dog is kept will be inspected by the City to ensure that the dog cannot get out and run loose.

All license fees for dogs must be used in accordance with Cal. FAC 30652¹⁰. At the time of this report, Hanford accepts only cash or checks for fees.

It is illegal in Hanford to sell a dog without a permit. Hanford Animal Control checks web sites such as Craig's List to spot sellers from Hanford who have animals which have not been neutered.

Hanford reports they do not always fine the owner of any animal that is impounded by animal control, which has not been spayed or neutered. The City requires any animal impounded be licensed prior to release. This does not comply with Cal. FAC §30804.7¹¹.

Hanford has entered into a contract with Kings County Animal Control for shelter services. The contract price was \$212,400 for 2014. This cost is expected to increase by two to three percent per year. This cost is based on the number of animals and population of the City.

Animal Control reported 2480 calls in 2013 with an average response time of between 30 and 45 minutes.

⁸ Appendix (1)

⁹ Appendix (3)

¹⁰ Appendix (2)

¹¹ Appendix (4)

Dead animals picked up are placed in a freezer until they can be transported to the Kings County Animal Shelter for cremation.

The Hanford Police Department does not have access to drugs to euthanize animals that are severely injured. These animals are taken to a veterinarian who is on call 24/7 to be euthanized. This could take several hours to get the veterinarian to arrive at their facility. They are investigating with the state for a means to obtain access to these drugs.

Hanford does not maintain a web site for the display of animals picked up in the City. Photographs of animals at the Shelter or in foster homes are displayed on the Kings County Animal Control web site. The Kings County Animal Control web address is <http://www.countyofkings.com/departments/general-services/animal-services-homepage>

Lemoore Animal Control

The Lemoore Animal Control is a part of the Lemoore Police Department. They currently have two full time officers who work the day shift. In addition, a part time officer started on November 1, 2014. Standby coverage is provided after hours and weekends for animals that are severely injured or deceased.

The Animal Control Officers in Lemoore are assigned as Community Service Officers in addition to their Animal Control responsibilities. Duties as a community service officer include crime prevention programs and code enforcement. The crime prevention program includes neighborhood watch programs. Presentations are given to schools, Boy Scouts, and daycare centers on safety, awareness of strangers and use of drugs. This is done in place of the DARE program which is no longer in effect.

They utilize one vehicle for animal control, with accommodations for ten kennels on the bed of the truck. They have a Ford F350 truck on order which is being outfitted with temperature-controlled kennels. This vehicle should be delivered shortly.

Animal control maintains three wire cages and five kennels for confinement of animals at the police station.

Lemoore has entered into a contract with Kings County Animal Control for shelter services at a contract price of \$113,000 for 2014. The cost is expected to increase by two to three percent per year. This cost is based on the number of animals and population of the City. Lemoore is in discussions with the Kings Society for the Prevention of Cruelty to Animals (SPCA) in Lemoore for services. The SPCA is a 'no-kill' shelter where Kings County Animal Control Shelter is not. The mission statement of the SPCA is: ***"The Kings SPCA seeks to provide a safe haven for abused, abandoned, and surrendered animals for as long as needed to find a loving forever family; to provide low-cost spay/neuter services to our community, and to foster community awareness of the***

importance of spaying/neutering pet animals; and to increase community awareness of the needs of domestic animals and the benefits of animal companionship.”

The yearly price for dog license for neutered animals in Lemoore is \$15 per animal with a reduced fee of \$30 for three years. There is a further reduction for senior fees to \$10 per animal or \$20 for three years.

All dogs in Lemoore are required to be neutered unless the owners of unneutered dogs have met the requirements for a breeding permit. The breeding permit fee is \$150 for one year plus the license fee. The fee for unneutered dogs is listed on their web site as \$25 for one year and \$50 for three years. There is a yearly breeding permit fee of \$150 plus the license. A verification statement is required from a veterinarian stating the dog is qualified for breeding. The area where the dog is kept will be inspected by the City to ensure that the dog cannot get out and run loose. The license fees do not comply with CGC §38792(b)¹² and Cal. FAC §30804.5¹³. All license fees for dogs must be used in accordance with Cal. FAC 30652¹⁴

At the time of this report, Lemoore accepts only cash or checks for fees.

Lemoore reports that they do not fine the owner of any unaltered dog that is impounded by animal control. This does not comply with Cal. FAC §30804.7¹⁵.

They maintain a web site: <http://www.lemoore.com/lpd/animal.htm>, which has links to the application for dog license and a link to the Kings County Animal Shelter. The shelter has information on animals, which are available for adoption. Information is also available for missing or lost animals.

Corcoran Animal Control

The Corcoran Animal Control is a part of the Corcoran Police Department. They currently have two full time Animal Control Officers who work the day shift. Standby coverage is provided after hours and weekends for animals that are severely injured or deceased. The officers also collect evidence and are classified as Community Service Officers.

The City of Corcoran provides a yearly sum of \$57,000 for equipment and day-to-day operations for animal control in their current budget.

¹² Appendix (1)

¹³ Appendix (3)

¹⁴ Appendix (2)

¹⁵ Appendix (4)

They use a full size Chevrolet truck with a custom-built truck bed which includes areas for cages on the side, and a lift gate to load animals for transportation.

All dogs in Corcoran are required to be spayed or neutered prior to being licensed. The price for dog license in Corcoran is \$20 for one year, \$30 for two years and \$40 for three years per animal which is not altered. There is a further reduction for altered animals to \$6 per year, \$10 dollars for two years and \$13 for three years per animal. There is no discount for multiple animals; but a resident is allowed to have up to six animals at one time. This complies with the CGC §38792(b)¹⁶ and Cal. FAC §30804.5¹⁷. The City of Corcoran accepts credit, debit cards or cash for a dog license.

The City of Corcoran has an agreement with Avenal Animal Shelter for kenneling services. Corcoran is responsible for veterinarian services for all injured or sick animals delivered to the Shelter. The agreement for the first year was \$40,700 payable in monthly payments of \$3,391.67 with an additional charge of \$10 for any animal delivered and euthanized by the Avenal Shelter. This agreement has been extended thru June 2015.

The City of Corcoran requires the owner of any animal impounded at the kennel located at Corcoran Public Works, or taken to the Avenal Animal Shelter to obtain a release slip from the Corcoran Police Department prior to picking up the animal. The fee for this release slip is listed as \$30.00. They do not list any separate fee schedule for dogs which are not spayed or neutered. The owner(s) have 30 days to obtain a license which requires a rabies vaccine certificate. This does not comply with Cal. FAC §30804.7¹⁸ which requires a fine of \$35 if the dog is not spayed or neutered. The Corcoran Senior Animal Control Officer is licensed to euthanize an injured animal when needed.

Corcoran maintains ten short-term kennels at their public works facility. Animals are normally kept at the Public Works department for a day and rarely over night. Each animal captured is photographed and given a number, which is on file at the department. These pictures are not available to the public. Records obtained from the Public Works Department in Avenal indicate that few animals are returned to their owners.

The City offers a clinic two times a year with a veterinarian for vaccinations, license, and microchip implants. Last year they had 153 dogs licensed, 191 vaccinated and 13 microchips implanted. In addition to 123 additional dogs licensed at police department. The clinic is primarily for residents of Corcoran but is open to anyone.

¹⁶ Appendix (1)

¹⁷ Appendix (3)

¹⁸ Appendix (4)

FINDINGS AND RECOMMENDATIONS

Kings County Animal Services and Shelter

Finding 1

The Kings County Animal Services and Shelter is lacking sufficient space to efficiently conduct daily operations.

Recommendation 1

The county should budget for additional facilities to provide much needed space for staff and animals. Expansion may be possible by acquiring the area occupied by the Kings Mosquito Abatement District after they move to their new location.

Finding 2

The Kings County animal intake area is used for specialty and canned food storage and is lacking workspace.

Recommendation 2

The Shelter needs expanded room so that the two functions are separated. This would cut down on the possibility of contamination of the food supply.

Finding 3

The Kings County Animal Services does not accept checks, credit or debit cards.

Recommendation 3

The County should investigate the implementation and acceptance of debit cards to make the programs more user friendly for the public. This would also reduce the need to keep cash at the Shelter and make the process safer for the staff and public. This method of payment is allowed by Cal.FAC §31255¹⁹ if the County of Kings Board of Supervisors authorize it. A surcharge may be imposed to cover the rate of discount that the credit or debit card issuer debits the local agency.

Avenal Animal Control and Shelter

Finding 4

A large percentage of animals from Avenal and Corcoran are euthanized at the Avenal Animal Shelter.

¹⁹ Appendix (5)

Recommendation 4

The Avenal Shelter should expand their outreach with no kill rescue shelters so more animals are adopted instead of being euthanized.

Finding 5

The Avenal Animal Shelter does not spay/neuter or vaccinate animals.

Recommendation 5

Avenal should contract with or arrange for a local veterinarian or agency to provide low cost spaying, neutering, and vaccinating of animals. Efforts should be made to acquire a grant to lower the cost of spaying and neutering of dogs and cats.

Finding 6

The Avenal Animal Shelter does not implant microchips.

Recommendation 6

The Avenal Animal Shelter should investigate the possibility of providing microchips for adopted animals. If this is not possible, arrangements should be made with a local veterinarian, agency, or the Kings County Animal Shelter for this service.

Finding 7

The Avenal Shelter reports that they do not fine the owner of any unaltered animal that is impounded. This does not comply with Cal. FAC §30804.7²⁰.

Recommendation 7

Comply with California Food and Agriculture Code §30804.7²¹.

Hanford Animal Control**Finding 8**

The City of Hanford charges \$15 for a one-year license for a spayed or neutered dog and \$25 for a nonspayed or unneutered dog, which is in violation of CGC §38792(b)²² and Cal. FAC §30804.5²³.

²⁰ Appendix (4)

²¹ Appendix (4)

²² Appendix (1)

²³ Appendix (3)

Recommendation 8

Comply with CGC §38792(b) and Cal. FAC §30804.5.

Finding 9

Hanford Animal Control reports that they do not fine the owner of any animal that is impounded by animal control that has not been spayed or neutered. This does not comply with Cal. FAC §30804.7²⁴.

Recommendation 9

Comply with California Food and Agriculture Code §30804.7.

Finding 10

Hanford Animal Control does not accept credit or debit cards.

Recommendation 10

Hanford should investigate the implementation and acceptance of debit and/or credit cards to make the programs more user friendly for the public. This would also reduce the need to keep cash on hand and make the process safer for the staff and public. This method of payment is allowed by Cal. FAC §31255²⁵ if the City Council would authorize it. A surcharge may be imposed to cover the rate of discount that the credit or debit card issuer debits the local agency.

Finding 11

The Hanford Animal Control Officers do not have access to drugs to euthanize animals that are severely injured.

Recommendation 11

It is recommended that Hanford obtain a source of drugs to euthanize severely injured animals. This will decrease the time required to transport the animal to a veterinarian.

Lemoore Animal Control

Finding 12

Lemoore charges \$15 for a one-year license for a spayed or neutered dog and \$25 for a nonspayed or unneutered dog. This does not comply with CGC §38792(b)²⁶ and Cal. FAC §30804.5²⁷.

²⁴ Appendix (4)

²⁵ Appendix (5)

²⁶ Appendix (1)

Recommendation 12

Comply with CGC §38792(b) and Cal. FAC §30804.5.

Finding 13

Lemoore does not accept credit or debit cards.

Recommendation 13

Lemoore should investigate the implementation and acceptance of debit and/or credit cards to make the programs more user friendly for the public. This would also reduce the need to keep cash at the Shelter and make the process safer for the staff and public. This method of payment is allowed by Cal. FAC §31255²⁸ if the City Council would authorize it. A surcharge may be imposed to cover the rate of discount that the credit or debit card issuer debits the local agency.

Finding 14

Lemoore reports that they do not fine the owner of any unaltered animal impounded by animal control and has not been spayed or neutered. This does not comply with Cal. FAC §30804.7²⁹.

Recommendation 14

Comply with California Food and Agriculture Code §30804.7.

Corcoran Animal Control**Finding 15**

The Corcoran Animal Control Officer reports they do not always fine the owner of any animal that is impounded by animal control, whether or not it has been spayed or neutered. This does not comply with Cal. FAC §30804.7³⁰.

Recommendation 15

Comply with California Food and Agriculture Code §30804.7.

Finding 16

Corcoran does not post any pictures of animals impounded which are available for public viewing.

²⁷ Appendix (3)

²⁸ Appendix (5)

²⁹ Appendix (4)

³⁰ Appendix (4)

Recommendation 16

Post pictures at a location in Corcoran or establish a web address where the public could check for lost animals.

REQUEST FOR RESPONSES

Required Response

Pursuant to Penal Code, §933.(c)³¹ And §933.05³², the Grand Jury requests responses from individuals and governing groups as follows:

- **Sheriff, Kings County** responds to findings and recommendations 1, 2, and 3.
- **Board of Supervisors, Kings County** responds to findings and recommendations 1, 2, and 3.
- **Avenal City Council** responds to findings and recommendations 4, 5, 6, and 7.
- **Hanford City Council** responds to findings and recommendations 8, 9, 10 and 11
- **Lemoore City Council** responds to findings and recommendations 12,13 and 14
- **Corcoran City Council** responds to findings and recommendation 15 and 16.

Invited Responses

- **Kings County Animal Services Manager** is invited to respond to findings and recommendations 1, 2, and 3.
- **Avenal Public Works Director** is invited to respond to findings and recommendations 4, 5, 6 and 7.
- **Avenal Senior Animal Control Officer** is invited to respond to findings and recommendations 4, 5, 6 and 7.
- **Hanford Police Chief** is invited to respond to findings and recommendations 8, 9, 10 and 11.
- **Hanford Senior Animal Control Officer** is invited to respond to findings and recommendations 8, 9, 10 and 11.

³¹ Appendix (6)

³² Appendix (7)

- **Lemoore Police Chief** is invited to respond to findings and recommendations 12, 13, and 14.
- **Lemoore Senior Animal Control Officer** is invited to respond to findings and recommendations 12, 13, and 14.
- **Corcoran Police Chief** is invited to respond to findings and recommendation 15 and 16.
- **Corcoran Senior Animal Control Officer** is invited to respond to findings and recommendations 15 and 16.

COMMENTS

The Kings County Grand Jury appreciates the committed and dedicated service of all the personnel involved with the animal control departments in Kings County. Their commitment to educating the public, care of animals, and public safety is recognized and well noted. The Grand Jury thanks everyone who assisted in this report.

APPENDICES

California Government Code (CGC)

§38792. Dog license; fees; duration

(a) The legislative body of a city may impose and collect a license fee for a period not to exceed two years and not exceeding the cost of services relating to dogs, including, but not limited to, animal shelters and control and the programs specified in Section of the Food and Agricultural Code, provided by the city, on every dog owned or harbored within the city limits. The license fee for spayed bitches and neutered males shall not exceed 50 percent of the license fee otherwise imposed.

(b) In addition to the authority provided in subdivision (a), the legislative body of a city may impose and collect a license fee, as described in subdivision (a), for a period not to exceed three years for dogs that have attained the age of 12 months or older and have been vaccinated. The person from whom the license fee is collected pursuant to this subdivision may choose a license period as established by the legislative body of up to one, two, or three years. However, when imposing and collecting a license fee pursuant to this subdivision, the license period shall not extend beyond the remaining period of validity for the current rabies vaccination. The license fee for spayed bitches and neutered males, under this subdivision, shall not exceed 50 percent of the license fee otherwise imposed.

California Food and Agricultural Code (Cal. FAC)

§30652 Disposition of fees and fines

All fees for the issuance of dog license tags and all fines collected pursuant to this division shall be paid into the county, city, or city and county treasury, as the case may be, **and shall be used**³³:

- (a) First, to pay fees for the issuance of dog license tags.
- (b) Second, to pay fees, salaries, costs, expenses, or any or all of them for the enforcement of this division and all ordinances which are made pursuant to this division.
- (c) Third, to pay damages to owners of livestock which are killed by dogs.
- (d) Fourth, to pay costs of any hospitalization or emergency care of animals pursuant to Section 597f of the Penal Code.

Appendix (2)

³³ Emphasis Added

California Food and Agricultural Code (Cal. FAC)

§30804.5. Spayed or neutered dogs; reduction in fee

Whenever dog license tags are issued pursuant to this division, any such 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.

California Food and Agricultural Code (Cal. FAC)

§30804.7. Nonspayed or unneutered dogs; fines

(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**³⁴ 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.

Appendix (4)

³⁴ Emphasis Added

California Food and Agricultural Code (Cal. FAC) §31255

(a) Fees for Impounding: Accept Credit Cards(a) An animal control officer of any county, if so authorized by the board of supervisors of the county, or an animal control officer of any city, if so authorized by the governing body of the city, may accept a credit card as a method of payment for any fee or penalty provided by this division, for any license, fee, or fine, or for any other obligation owed to the officer.

(b) Notwithstanding Title 1.3 (commencing with Section 1747) of Part 4 of Division 3 of the Civil Code, a surcharge may be imposed to cover the rate of discount that the credit card issuer debits the local agency on acceptance of the sales draft.

California Penal Code, §933

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

California Penal Code, §933.05

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.