

READ AND CONSIDERED
DATE 8/5/26 BY Ch

Response to Grand Jury Report Form

Report Title: Animal Services Revisited: A City Asleep at the Wheel

Report Date: May 12, 2026

Response by: Kevin McDonnell Title: Mayor

Agency/Department Name: Petaluma City Council

FINDINGS:

[List numbers: F1- F8]

I (we) agree with the findings numbered: _____

I (we) disagree wholly or partially with the findings numbered: F1, F2, F3, F4, F5, F6, F7, F8

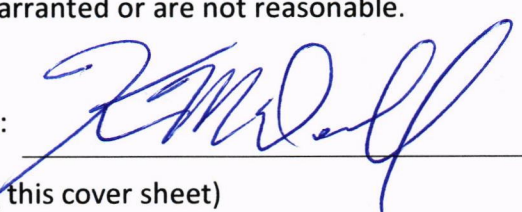
(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

RECOMMENDATIONS:

[List numbers: R1 – R7, R9]

- Recommendations numbered: _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered: R2, R7, R9 have not yet been implemented but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered: _____ require(s) further analysis.
(Attach 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 director 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.***)
- Recommendations numbered: R1, R3, R4, R5, R6 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 7/29/2026

Signed: 

Number of pages attached: 20 (not including this cover sheet)

(See attached PC Civil Grand Jury Response Requirements)

City of Petaluma Response to 2025-2026 Sonoma County Civil Grand Jury Report

July 20, 2026

Honorable Christopher Honigsberg
Presiding Judge, Sonoma County Superior Court
600 Administration Drive
Santa Rosa, CA 95403

Re: City of Petaluma Response to 2025-2026 Sonoma County Civil Grand Jury Report,
“Animal Services Revisited: A City Asleep at the Wheel”

Dear Presiding Judge Honigsberg:

On July 20, 2026, the Petaluma City Council considered the 2025–2026 Sonoma County Civil Grand Jury report entitled *Animal Services Revisited: A City Asleep at the Wheel*. Pursuant to Penal Code section 933.05, the City Council provides the following responses to the findings and recommendations directed to the City Council.

The City of Petaluma is unwavering in its commitment to providing safe, humane, transparent, and accountable animal services that protect both the community and the animals in our care. While the City welcomes oversight and values constructive recommendations that strengthen public service delivery, it does not agree with several of the report's factual characterizations, legal conclusions, and recommendations. In particular, the City rejects assertions that the City Council relinquished its legislative authority or that City staff acted outside the scope of their lawful administrative authority under the Petaluma City Charter, Municipal Code, and Council direction. The record demonstrates that the City consistently exercised oversight, evaluated service delivery, and acted decisively when it became clear that changes were necessary.

The challenges surrounding animal services are not unique to Petaluma. Local governments throughout Sonoma County and the state face limited provider options, increasing costs, facility and staffing constraints, and a shortage of organizations with the financial and operational capacity to provide comprehensive animal control and shelter

services. North Bay Animal Services provided animal services to multiple jurisdictions within the County, likely due in part to the limited number of available providers. Consequently, North Bay Animal Services' operational difficulties affected more than one community. These circumstances demonstrate that sustainable animal services are a regional challenge that could potentially be more effectively addressed through cooperation among the County and local municipalities, shared planning, and development of financially sustainable service-delivery options. It is not reasonable or factually correct to attribute a complex regional problem – or responsibility for developing a solution - to a single jurisdiction.

The City also questions the timing of this second Grand Jury report. It was issued before the implementation deadlines established in the City's September 2025 response to the 2024–2025 Civil Grand Jury report, making it impossible to fairly evaluate the effectiveness of actions already underway. A more meaningful assessment would have occurred after those improvements had been fully implemented and their results measured.

Since entering into its contract with North Bay Animal Services (NBAS) in 2018, the City recognized that the newly-formed nonprofit would require significant organizational development to achieve long-term operational success. Throughout the contract term, City staff worked extensively with NBAS to strengthen its operations, improve management practices, forecast staffing and capital needs, and enhance organizational systems and processes. The City believed these challenges could be overcome while ensuring continuity of essential animal services for the community. However, despite substantial City support and ongoing oversight, it ultimately became evident that NBAS would not develop the operational capacity necessary to consistently meet its contractual obligations. When that conclusion became clear, the City Council acted promptly, directing termination of the contract at its March 2, 2026 meeting.

Long before the contract termination, the City had already been implementing significant improvements to its animal services program. In response to the prior Civil Grand Jury report and extensive community input, the City invested in capital improvements at the municipal animal shelter, retained an experienced consultant to assist NBAS in achieving legal, contractual, and industry best-practice compliance, and began planning for future service delivery. When NBAS declined to work with the City's consultant and the contract expiration approached, staff initiated the development of a Request for Proposals to secure a qualified, long-term animal services provider.

As conditions surrounding the Clearlake shelter and NBAS continued to evolve, City staff determined that it would be important for staff to present for the City Council's consideration the available options before a solicitation was released. Staff coordinated with the other NBAS member agencies, monitored rapidly changing circumstances, evaluated alternatives, and engaged with other regional providers that offered assistance and expertise. This process ensured that both short term and long-term decisions would occur transparently and with the benefit of public participation.

Recognizing that changes to the City's animal services program were imminent in any event, staff prepared the March 2, 2026 agenda as a policy discussion regarding potential changes to animal services and requested Council direction. The staff report presented three potential paths forward, ranging from maintaining the existing contract while procuring new services to terminating the contract and transitioning operations through an interim provider. Because Council direction could not be predicted and discussions with potential interim providers remained preliminary, draft agreements and transactional documents could not yet be developed. Following extensive public testimony, Council deliberation, and questions, the City Council directed staff to proceed with a modified version of the interim transition approach. Staff immediately implemented that direction by issuing a Notice of Termination for Cause to NBAS on March 4, 2026, identifying the contractual breaches supporting termination, with an effective date of March 31, 2026.

Since that transition, the City has worked diligently with Marin Humane, its interim service provider, to restore and strengthen every aspect of the City's animal services program. This work has included recovering animal case files and shelter records, improving data management and customer service, restoring licensing and dangerous-animal processes, addressing facility needs, and strengthening operational oversight. At the same time, the City has considered potential updates to its animal control regulations and has collaborated with Sonoma County and regional partners to explore a financially sustainable regional model capable of delivering consistent, high-quality animal services.

Petaluma has never wavered in its responsibility to protect public safety, ensure humane animal care, and provide reliable animal services for its residents. The City's actions demonstrate a sustained commitment to accountability, continuous improvement, and decisive leadership when circumstances required it. While the City respectfully disagrees with several conclusions contained in the Grand Jury report, it remains fully committed to learning from experience, strengthening its programs, and delivering the high standard of animal services that the Petaluma community expects and deserves.

The City's detailed responses to each finding and recommendation follow.

Findings

Finding F1

Apart from approving the annual budget and statement of goals and priorities, the Petaluma City Council has largely delegated its governing authority over Animal Services to the City Manager. This allows the City Manager to take actions that are not authorized by a recorded vote of the council members and diminishes the Council's accountability to the City's voters.

Response: The City wholly disagrees.

The finding is factually and legally incorrect. The Petaluma City Council has not delegated or relinquished its authority over animal services, nor has it diminished its accountability to the electorate. The City Council retains all legislative, policy-making, fiscal, and oversight authority vested in it by the California Constitution and the Petaluma City Charter. The City Manager exercises only the administrative authority assigned by the Charter and acts pursuant to Council-adopted policy, Council-approved budgets, and Council-authorized contracts. The City Manager serves at the pleasure of the City Council and is directly accountable to it. This allocation of authority is expressly established by the Petaluma Charter, including Article V, Section 24, and is fully consistent with the Council's constitutional and charter authority under Article VII, Section 34, Article VIII, Section 54, and Article XIV, Section 81. Moreover, because the Charter itself was adopted by Petaluma voters and may only be amended by the voters as provided by California law, the City's governmental structure therefore founded upon voter accountability.

In accordance with the City Charter, Petaluma has a council-manager form of government, the system of municipal governance employed by the majority of California cities. Under that model, the City Council establishes public policy, appropriates funding, authorizes contracts, adopts ordinances and resolutions, and exercises continuing oversight. The City Manager administers City operations and implements Council direction through day-to-day executive and administrative decisions. This division of responsibility is not a delegation of legislative authority. Under Petaluma's charter, the Council retains its full legislative and policy-setting authority. This governance structure established by the City Charter is foundational to all Council and staff action, and effective implementation of the Charter requirements is essential to the efficient operation of the City consistent with the electorate's Charter mandates.

The suggestion that every administrative action affecting animal services must be expressly authorized by a recorded Council vote is unsupported by the Charter, inconsistent with California municipal practice generally, and incompatible with the effective administration of the City and successful delivery of the host of services it provides. The City Manager oversees the work of more than 400 authorized full-time-equivalent employees. Requiring recorded Council action before staff could carry out administrative operations would improperly collapse the distinction between legislation and policymaking versus executive administration, prevent timely delivery of essential public services, and undermine—rather than enhance—the governance framework established by the Charter.

Article VII, Section 40 of the Charter, provides that the City Council acts by ordinance or resolution. That provision governs the formal exercise of the Council's legislative and administrative powers; it does not require every operational decision setting Council policy and providing direction to staff to be embodied in a separate ordinance or resolution. As the City Attorney explained to the Grand Jury, City operations are carried out by staff under the authority of the Charter, the Municipal Code, duly adopted ordinances and resolutions, approved budgets, contracts executed according to City contracting procedures, and

policy direction provided by the City Council. Nothing in the Charter prohibits the Council from providing policy direction to staff during public meetings or from directing staff to develop, evaluate, or implement options before returning for subsequent formal Council action.

Indeed, City governance routinely requires the Council to provide interim policy direction before formal legislative or contractual action occurs. During General Plan updates, budget development, emergency response and procurement processes, the Council frequently directs staff regarding policy objectives at City Council meetings while reserving final Council action for a later meeting. The City's transition from North Bay Animal Services followed precisely this well-established practice. At its publicly noticed March 2, 2026 meeting, the Council considered multiple alternatives, heard extensive public testimony, deliberated in open session, and directed staff to implement a modified transition strategy. Staff thereafter carried out that Council direction by issuing the Notice of Termination for Cause and undertaking the operational steps necessary to maintain uninterrupted animal services pending selection of a long-term provider. Far from circumventing public accountability, that process was transparent, included ample opportunity for public participation, and resulted in well-informed Council decision-making regarding an evolving issue of significant public concern.

The City Council has consistently exercised its authority over animal services through publicly noticed meetings, budget appropriations, contract approvals, policy direction, and ongoing oversight. Members of the public have had, and continue to have, meaningful opportunities to participate through public testimony, written correspondence, direct communication with elected officials, and other established public processes. The implementation of Council policy by the City Manager pursuant to the authority granted by the Charter does not diminish voter accountability; it is the way Council policy is carried out in the dynamic and constantly evolving environment in which City services are delivered. This is how the City operates consistent with the Charter while ensuring the Council's and staff's public service duties are carried out.

Accordingly, the City rejects the Grand Jury's assertion that the Council relinquished its governing authority or that administrative implementation of Council direction constitutes an improper delegation of legislative power. The City's actions transitioning animal services were fully consistent with the California Constitution, the Petaluma City Charter, established principles of council-manager government, and sound municipal administration. The City's actions promptly and lawfully responded to Council and public concerns about the state of NBAS' services.

Finding F2

By allowing NBAS to default on reporting requirements, the City Manager's Office was unable to effectively evaluate NBAS's performance and provide the bi-annual reports to the City Council as required by Resolution No. 2022-111 N.C.S.

Response: The City disagrees in part.

The City agrees that reporting from North Bay Animal Services did not consistently meet the City's expectations or contractual requirements, and that more formalized tracking and reporting procedures would have improved oversight. The City also agrees that Council updates regarding animal services should be more regular going forward.

The City does not agree that the City Manager's Office was wholly unable to evaluate NBAS performance. The City received and reviewed information from multiple sources, including provider communications, community input, staff review, consultant engagement, and Council proceedings. Nonetheless, the City acknowledges that the lack of consistent formal reports limited the City's ability to evaluate performance in a comprehensive and standardized manner.

Corrective action is underway. The City currently has an animal services request for proposals process in progress, and that process provides an opportunity to address the reporting and oversight issues identified in this finding before a new long-term agreement is awarded. The City expects the resulting contract to include clearer performance standards, reporting requirements, data-sharing obligations, financial and operational information requirements, records-retention expectations, and remedies for noncompliance. The contract award will return to the City Council for public consideration and formal approval, providing an additional opportunity for Council review and public comment regarding the proposed provider, scope of services, reporting structure, and oversight expectations.

Finding F3

The City Manager's Office neglected to monitor NBAS's enforcement of Petaluma Municipal Code requirements for dog licensing for rabies control and for abatement of the risks posed by dangerous dogs, which created risks to public health and safety.

Response: The City disagrees in part.

The City agrees that animal services oversight should include appropriate contract provisions and provider reporting regarding rabies control, dog licensing administration, bite reporting, and dangerous or potentially dangerous animal procedures. The City also agrees that these functions implicate public health and safety and should be supported by clear documentation, reporting, and records-retention requirements.

The City does not agree with the characterization that the City Manager's Office "neglected" these matters. Dog licensing is ultimately the legal responsibility of pet owners. The City's role is to administer and support a licensing program, provide public information, coordinate with its animal services provider, and take reasonable steps to encourage and verify compliance through the tools available to the City.

As part of the current animal services request for proposals process, the City is taking a holistic look at its animal services program, including provider responsibilities, rabies-

control and licensing-program scope, reporting expectations, data collection, bite-report procedures, dangerous-animal procedures, and potential Municipal Code amendments. The City expects the resulting contract scope to address rabies and licensing programs, along with procedures for documenting provider performance and compliance. The City is also reviewing its animal services procedures and the animal regulations in Petaluma Municipal Code Chapter 9.24, and will consider animal regulations of other jurisdictions in the region and elsewhere for exemplars of potential amendments to ensure that City regulations are clear, adapted to the updated animal services contract and service delivery model, and are enforceable and protective of animal owner due process and public safety.

Finding F4

By failing to develop a system to document and respond to citizen complaints, the City Manager's Office lost opportunities to receive and respond to community input.

Response: The City disagrees in part.

The City disagrees with the suggestion that it has failed to receive or respond to community complaints and other input regarding animal services. Residents communicate concerns about all manner of topics through emails and other correspondence to the City Council, the City Manager's Office, and City staff. Those concerns are reviewed and responded to. When appropriate and helpful, the City Manager's Office will coordinate with the City's animal services provider to obtain relevant background and case information. In some cases, that requires multiple follow-ups and confirmation that the issue has been resolved. Additionally, public concerns may result in matters being scheduled for City Council consideration. For example, public comments regarding NBAS and the situation in Clearlake prompted the City Manager to schedule the March 2, 2026, item concerning NBAS and potential animal services options, allowing the Council to consider those concerns publicly and provide direction.

The City agrees that the process for receiving and responding to community feedback on delivery of Petaluma animal services can be improved. The requirements for a new services provider, in terms of providing channels for community feedback, receiving feedback, responding to the feedback, and reporting to City staff on community feedback and response will be included in the new animal services RFP and resulting contract.

The following language was included in the current RFP: **Customer Service / Complaints:** Receive, document, and respond to citizen complaints within seven (7) business days while providing a high standard of customer service. The Contractor shall designate both a primary and an alternate point of contact for complaint resolution. Copies of all complaints received, and responses issued during the applicable reporting period shall be provided to the City Manager's Office as part of the next regularly scheduled quarterly statistical report.

Finding F5

The City Manager's Office failed its fiduciary responsibility to review the financial stability of NBAS. This increased the risk that Petaluma and other cities that depended upon NBAS would be left without animal services they depended on for the health and safety of animals and residents

Response: The City wholly disagrees.

The City disagrees with the finding that the City Manager's Office failed to fulfill a fiduciary responsibility. That conclusion incorrectly attributes to the City legal duties that it neither possessed nor was authorized to exercise.

The City Manager's Office had no fiduciary duty to oversee or ensure the financial stability of North Bay Animal Services (NBAS), an independent nonprofit corporation governed by its own Board of Directors. Responsibility for the financial management, oversight, and fiscal sustainability of NBAS rested with its Board and management, not with the City of Petaluma. The City's obligation was to administer its contract, ensure that contracted services were delivered to the extent required under the agreement, and safeguard the City's interests consistent with applicable law and City policy. It was not the City's responsibility to guarantee the long-term financial viability of an independent contractor.

Likewise, the City does not owe fiduciary or similar legal duties to other municipalities. The fiduciary duties of the City Council and City staff are owed to the City of Petaluma as a municipal corporation, and to City residents. The City's legal and contractual responsibilities are established by state law, the City Charter, the Municipal Code, Council-approved budgets, and applicable agreements governing the provision of services.

Consistent with those responsibilities, the City reviewed financial information during the procurement and approval of the original NBAS agreement. Thereafter, City staff reviewed annual financial statements when they became available and, for approximately the past six years, annually requested budget projections and other financial information from NBAS. The agreement also required NBAS to notify the City if additional funding or other contract-related issues arose that could affect performance. These actions reflect ongoing contract administration and oversight appropriate to the City's role as a contracting agency. They do not constitute, nor were they intended to constitute, financial management or fiduciary oversight of NBAS.

The finding also incorrectly suggests that actions by the City of Petaluma left other municipalities without animal services. That implication is unsupported. Petaluma neither controlled nor administered the animal service contracts of other jurisdictions, nor were there joint powers, shared-services, or other intergovernmental agreements under which

Petaluma assumed responsibility for providing or ensuring animal services on behalf of neighboring cities. Although Petaluma's animal shelter has been used to support neighboring jurisdictions' animal services through NBAS, such support has not changed each municipality's independent responsibility to secure its own animal services. In the weeks preceding the March 2 City Council meeting, City staff met with representatives of the affected municipalities to provide advance notice that an animal services item would be presented to the Council, exchange information regarding the status of regional animal services, and discuss potential impacts. This coordination reflected the City's longstanding practice of working cooperatively with regional partners, even where no legal obligation existed to do so.

The City recognizes that disruptions in contracted services can occur when third-party providers experience financial or operational challenges. Accordingly, while the City disagrees with this finding and rejects the characterization that it breached a fiduciary responsibility, it agrees that future contracts can incorporate stronger mechanisms for financial monitoring and risk management. As part of the current animal services Request for Proposals process and resulting agreement, the City intends to strengthen provisions governing financial reporting, operational capacity, notice requirements, audit rights, performance monitoring, and remedies for noncompliance. These enhanced contractual provisions will improve the City's ability to assess provider capacity, identify emerging risks, and respond appropriately while remaining consistent with the City's role as a contracting public agency. These provisions will not assume responsibility for the governance or financial management of an independent nonprofit organization.

Finding F6

No state or county authority exists for periodic inspection of animal shelters and regulatory oversight of animal services to ensure humane conditions for animals. This enabled NBAS to contract for services with multiple cities while lacking either the funding or organizational structure to meet professional standards for shelter care and conform with state and municipal laws for rabies control and abatement of risks from dangerous animals.

Response: The City disagrees in part.

The City agrees that there is no comprehensive state or county system that provides routine inspection and oversight of all municipal animal shelters and animal services providers. The City also agrees that regional coordination could improve consistency, efficiency, compliance, and animal welfare outcomes.

The City does not have sufficient information to agree with all of the Grand Jury's conclusions regarding NBAS's funding, organizational structure, or ability to meet professional standards across all jurisdictions it served. The City's response is limited to the City's own oversight responsibilities and future corrective actions. We also question whether coordinated standards or oversight regarding animal care and animal care

facilities in Sonoma County, in and of itself, would or could be adequate to avoid non-profit service providers “lacking either the funding or organizational structure to meet professional standards.” This is because there is no substitute for non-profit service providers having and maintaining strong and engaged governing boards that oversee and ensure accountability on organizational finances and administrative practices. The City supports and is participating in continued discussions with Sonoma County and other municipalities regarding regional animal services, shared standards, licensing systems, and potential governance options.

Finding F7

Petaluma Municipal Code § 9.24.020(D) defines “hearing officer” as the manager of animal services or his/her designee. This not only appears to usurp the City Manager’s responsibility stated in Petaluma Municipal Code § 1.16.060 to appoint administrative hearing officers, it may also deprive all parties of their due process rights to be heard before an independent hearing officer.

Response: The City wholly disagrees.

The City disagrees with the Grand Jury’s interpretation of the Animal Regulations in Title 9 of the Municipal Code, particularly its application of the definitions in Section 9.24.020(D)¹ and its conclusion that the dangerous-animal hearing provisions usurp the City Manager’s authority or deprive parties of due process. The City Attorney has explained to the Civil Grand Jury members how the animal regulations in Title 9 of the Municipal Code must be understood to harmonize the Municipal Code provisions with due process principles. The provisions cited in the Report must be read together and applied consistently with the City Manager’s appointment authority and the due-process requirement of a fair hearing before a neutral decision-maker.

Section 9.04.020 defines the terms “Animal control officer,” “Animal services manager,” and “Animal hearing officer” in paragraphs B, C, and D, respectively. Here are the definitions:

B. “Animal control officer” means the person appointed by the city manager as animal control officer and any designated assistants, any peace officer and any designated police department employee.

C. “Animal services manager” or “manager” means the person appointed by the city manager whose duties include, but are not limited to, the enforcement of this title and the management of day-to-day operations of the city-operated animal services department.

¹ The Report incorrectly cites section 9.24.020(D); the quoted definition appears in section 9.24.020(E).

D. "Animal hearing officer" means the animal services manager or person(s) appointed by the city manager to conduct all hearings authorized by this title.

It is important to note that, as can be seen from these definitions, the Municipal Code already provides that the animal service positions established in the Municipal Code are City Manager appointees. Not only is there no usurpation of the City Manager's oversight, but the City Manager's appointing role harmonizes the Animal Regulations in Title 9 with the administrative hearing officer appointment process in Title 1 of the code. This allows use of the same administrative hearing officer appointment process for routine City administrative hearings, such as concerning code enforcement actions or permit disputes, for proceedings under the Animal Regulations in Title 9 of the code.

Read together, sections 9.04.020(D) and 9.24.020(E) do not usurp or displace the City Manager's appointment authority. Rather, they recognize both the City Manager's authority to appoint persons to conduct hearings authorized by Title 9 and the animal services manager's authority to designate an appropriate hearing officer for dangerous-animal proceedings. Section 1.16.060 does not compel a different conclusion. That section governs the appointment of hearing officers for administrative-citation proceedings under Chapter 1.16, while dangerous- and potentially-dangerous-animal hearings are governed by Chapter 9.24. The provisions can be applied consistently without conflict.

The due process which animal owners are owed by virtue of their property interest in their animals requires a fair hearing before a neutral decision-maker. The City Manager's appointment power regarding the animal service positions defined in the Municipal Code would theoretically permit her to appoint the same person to serve in all three roles – "Animal control officer," "Animal services manager," and "Animal hearing officer." However, due process principles and City practice would preclude that. As the City Attorney has explained, the City Manager's appointment authority would instead be deployed to appoint on a rotating basis an independent administrative hearing officer from among those under contract to the City. The result would be a fair hearing that satisfies due process. Accordingly, regardless of the particular appointment mechanism used, a person who investigated a potentially dangerous or dangerous animal incident, initiated the enforcement action, or otherwise participated as an advocate in the matter could not, consistent with due process, serve as the hearing officer in that same proceeding. The City's practice is to use an independent administrative hearing officer who was not involved in the underlying investigation or enforcement decision, thereby providing the animal owner with a fair hearing before a neutral decision-maker.

It should also be noted, as the City Attorney has also explained, that the City's Dangerous and Potentially Dangerous Animals regulations in Chapter 9.24 of the Municipal Code are not intended to provide and are not legally required to provide "all parties" a due process right to be heard before an independent hearing officer. It is the *animal owners' property right in their animals* that triggers due process before they can be subjected to dangerous animal abatement conditions ordered by a hearing officer, such as requirements for registration, confinement, sterilization, insurance, bonding, notice, signage, microchip,

inspection, or payment of costs. Victims and witnesses may provide relevant evidence concerning the incident, the animal's conduct, the injuries sustained, and appropriate public safety conditions. They do not, however, control the City's enforcement proceeding or possess the same procedural rights as the animal owner whose property interests are directly affected. The City's dangerous animal provisions focus on public safety, not victim compensation. As the City Attorney has explained to the Civil Grand Jury members, victims of dangerous animal incidents are able to seek redress through claims against animal owners' insurance and through the civil courts.

The City agrees that its animal regulations and their application must be construed and applied in a clear and fair manner, consistent with due process principles. The City Attorney is prepared to review and recommend updates to the relevant Title 9 regulations consistent with the City Council's direction as the City's elected legislative body and as appropriate and helpful for fully and effectively supporting an updated animal services model and contract in the City. The City does not concede that its current regulations, properly understood and applied, are unlawful or unworkable.

Finding F8

The City of Petaluma failed to collect and retain documentation of dog bite incidents. Victims were unable to obtain this information for further action and the City of Petaluma was unable to evaluate Animal Control provider's compliance with Petaluma Municipal Code § 9.24.030(A)(1).

Response: The City disagrees in part.

The City agrees that dog bite incident documentation, access, and retention procedures should be strengthened. The City further agrees that it must be able to obtain and review records necessary to evaluate animal control provider compliance with the Municipal Code, Public Records Act obligations, and applicable records-retention requirements.

The City does not agree with the finding to the extent it suggests that no records were collected or retained, or that the City intentionally prevented victims from obtaining records. During the NBAS agreement, the City relied on its animal services provider to create, maintain, and provide records related to animal control services, including bite incidents, in accordance with the contract requirements. The City does not directly control provider-created records in the same manner as records created and maintained internally by City staff. However, the City recognizes that future agreements should more clearly address provider recordkeeping obligations, City access to records, retention requirements, and requirements for responding to Public Records Act requests involving animal services records.

The City is addressing this issue through its current animal services request for proposals process. The resulting contract will include strengthened requirements regarding bite-incident and other contractor performance documentation, records retention, transmission of records to the City, provider fulfillment of Public Records Act requests,

and City review of records necessary to evaluate provider performance and Municipal Code compliance.

Recommendations

Recommendation R1

By September 7, 2026, the City Council shall direct the City Attorney to prepare and present, for City Council adoption, no later than October 5, 2026, a resolution establishing parameters and dollar thresholds for actions within the City Manager's purview and specifying those requiring City Council action by resolution or ordinance in accordance with the Petaluma City Charter.

Response: The recommendation will not be implemented because it is not warranted or is not reasonable.

The scope of this recommendation extends far beyond animal services and would affect the City Manager's authority over procurements, expenditures, contract administration, budget implementation, emergency response, professional services procurement, and potentially any administrative action involving City funds. It also implicates City Council policymaking authority, the allocation of responsibilities under the Petaluma City Charter, and interpretation of the Charter itself. These matters involve the City's broader governance structure and cannot appropriately be addressed through a single resolution establishing universal dollar thresholds.

Under California law and the Petaluma City Charter, the City Manager's administrative authority, the City Council's legislative authority, and the City's purchasing and financial controls already operate within a comprehensive legal and policy framework. Changes of the breadth contemplated by this recommendation would require careful legal, operational, and fiscal analysis involving the City Attorney, City Manager, Finance Department, Purchasing staff, and affected departments, as well as policy direction from the City Council. To the extent any changes to City laws or regulations are appropriate, such changes would generally require ordinance amendments or other legislative action rather than a single resolution.

The recommendation also overlooks the extensive safeguards and oversight that already govern the City's financial and contracting decisions. The City operates under an annually adopted budget that is publicly reviewed and approved by the City Council following extensive public meetings and deliberation. That budget establishes spending authority and appropriates funds for City operations. In addition, significant contracts and major expenditures are routinely brought before the City Council for public consideration and approval. This includes major service contracts, public works contracts, labor agreements, and other contracts involving substantial financial commitments, significant operational impacts, or important public policy considerations. These existing processes provide

multiple layers of fiscal oversight, transparency, legal review, and public accountability before significant public resources are committed.

The City also maintains established procurement policies, competitive solicitation requirements, contract review procedures, financial controls, and internal administrative approvals that govern purchasing and contracting activities. These guardrails are designed to ensure compliance with applicable law, promote responsible stewardship of public funds, and provide appropriate accountability, while allowing the City to administer day-to-day operations efficiently and respond to urgent operational needs. These administrative processes operate within, and implement, the authority provided through Council-adopted budgets, ordinances, resolutions, and publicly approved contracts. Accordingly, the City believes that existing governance, budgetary oversight, procurement procedures, and Council review processes already provide robust safeguards that achieve the accountability and transparency objectives underlying the recommendation. Imposing additional procedural requirements for routine administrative actions could unnecessarily delay service delivery without providing meaningful additional transparency or accountability beyond the extensive controls already in place.

The City strongly disagrees with the premise that the Grand Jury has identified any Charter violations related to Petaluma Animal Services or any other City function, or that adoption of a City Attorney-prepared resolution establishing broad dollar thresholds for City Manager actions would address the concerns identified in the report. The recommendation is at odds with the legal framework governing California municipalities, particularly charter cities such as Petaluma. Existing provisions of the City Charter, Municipal Code, purchasing regulations, Council-adopted budgets, Council-approved contracts, and other applicable authorities already provide the legal framework within which City operations are conducted.

Should the City Council determine that further evaluation of procurement authorities, approval thresholds, or contract administration procedures is warranted, such review can occur through the City's normal legislative and administrative processes, including publicly noticed City Council consideration of budgets, contracts, ordinances, resolutions, and related policy matters, with appropriate legal, financial, and operational analysis. Any proposed modifications can then be presented to the City Council for consideration if clarification or changes are determined to be legally necessary or operationally advisable.

Recommendation R2

By September 7, 2026, the City Council shall direct the City Manager's Office to prepare and present to the City Council for adoption, no later than October 5, 2026, a resolution to

establish how and at what intervals the City Manager's Office will update the City Council on any Animal Services matters including bite reports, its oversight of any animal services contracts, and related citizen complaints.

Response: The recommendation has not yet been implemented, but will be implemented in the future.

The City will implement the substance of this recommendation at the appropriate time. The City Manager's Office will prepare a proposed animal services reporting framework for City Council consideration as part of the solicitation of new animal service proposals and award of the resulting service contract. A policy pursuant to resolution subject to an animal services framework already codified in the Municipal Code does not impose binding and enforceable requirements on a contract services provider; the solicitation and contracting process can. The updated animal services contract process will address reporting requirements, including reporting intervals, contract oversight, provider performance metrics, dog licensing procedures, bite incident and other data gathering, dangerous or potentially dangerous animal procedures, complaint tracking, and shelter operations. The City anticipates presenting the reporting framework as part of the updated animal services contract package to the City Council prior to the end of calendar year 2026, subject to agenda availability and completion of staff and legal review.

Recommendation R3

By September 7, 2026, the City Council shall direct the City Attorney to review and propose amendments to Petaluma City Code § 1.16.060 and/or § 9.24.020(E) by January 4, 2027 regarding the assignment of independent administrative hearing officers in hearings held pursuant to § 9.24.040 regarding abatement conditions for dangerous or potentially dangerous dogs to ensure that due process requirements are being met.

Response: The recommendation will not be implemented because it is not warranted or is not reasonable; the City will review and update Title 9 procedures for clarity and consistency, and review other jurisdictions' regulations to ensure best practices are being applied.

The City will not implement this recommendation as written because as has been noted, it is inconsistent with the operation and application of the administrative remedy and animal regulations in the Municipal Code, as well as related due process and public safety considerations. As has been noted, Chapter 1.16 governing administrative citations and dangerous and potentially dangerous animal proceedings under Title 9 do not conflict. The City also does not agree that the Municipal Code currently prevents City Manager appointment of animal hearing officers.

The timing for any proposed Municipal Code amendments is subject to City Council direction and the City Council's legislative priorities. City staff, including the City Attorney's Office, will follow Council direction if the City Council directs preparation of Title 9 amendments. However, the City Council recently considered and set

comprehensive City goals and priorities at its March 23, 2026 goals-and-priorities workshop, and animal regulation updates were not identified as one of those priorities.

As has been noted, the City Attorney is prepared to review and recommend updates to the relevant Title 9 regulations consistent with the City Council's direction as the City's elected legislative body and as appropriate and helpful for fully and effectively supporting an updated animal services model and contract in the City. The City does not commit to the January 4, 2027 amendment deadline unless in the course of its upcoming deliberations on animal services matters the City Council concludes that is desirable, recognizing that it may delay other recently selected City goals and priorities.²

Recommendation R4

By September 7, 2026, the City Council shall direct the City Attorney to review and propose amendments to Petaluma City Code § 9.24.030(A)(1) by January 4, 2027 to address the retention policy for copies of reports and documentation required by this Section.

Response: The recommendation will not be implemented because it is not warranted or is not reasonable; contract and procedural requirements will be reviewed.

The City will not implement this recommendation as written because the City's existing records-retention schedule already addresses retention of City records and complies with applicable law. In addition, the California Public Records Act already establishes the City's obligations and deadlines for responding to public records requests.

The City agrees, however, that animal services provider recordkeeping and production obligations should be strengthened. The issue is not whether the City has a legally compliant records-retention schedule or whether the Public Records Act provides response deadlines. The issue is how Petaluma's animal services provider's records are created, maintained, identified, retained, transmitted and available to the City, and produced, to support City oversight and Public Records Act compliance.

As has been noted, the City will address these issues through the current animal services request for proposals process and resulting contract. As part of this process, the City Attorney's Office, City Clerk's Office, and City Manager's Office will also consider whether any clarifying administrative procedures are warranted.

² The City respectfully notes that this limitation is consistent with the accountability concerns identified in Finding F1. While the Civil Grand Jury performs an important oversight function, it is not an elected body, not accountable to the voters, and does not set the City Council's legislative calendar or staff work plan. Decisions regarding whether and when to direct preparation of Municipal Code amendments are policy and priority-setting decisions for the elected City Council, which is directly accountable to Petaluma voters. Accordingly, preserving Council discretion over the timing and priority of any Title 9 amendments promotes, rather than diminishes, the City Council's accountability to the Petaluma electorate.

To the extent this recommendation seeks Municipal Code amendments by January 4, 2027, the City incorporates its response to Recommendation R3 regarding the need for City Council direction and the City Council's legislative priority-setting prerogatives.

Recommendation R5

By September 7, 2026, the City Council shall direct the City Attorney to review and propose amendments to Petaluma City Code § 1.16.060 and/or § 9.24.020(E) by January 4, 2027 regarding the rights of victims to request, participate in, and present evidence in a hearing pursuant to § 9.24.040 regarding abatement conditions for dangerous or potentially dangerous dogs.

Response: The recommendation will not be implemented because it is not warranted or is not reasonable; the City will review Title 9 regulations, including a comparison of other cities' regulations, to ensure best practices are being applied.

The City will not implement this recommendation as written. The City does not agree that victims, witnesses, or complainants have legal standing or are legally entitled to request a dangerous-animal hearing, direct the prosecution or enforcement of dangerous animal proceedings, appeal hearing decisions, or participate as parties in the same manner as animal owners. Dangerous-animal proceedings are enforcement proceedings initiated and administered by the City that are directed at animal owners to ensure that Petaluma animal owners are complying with the law and that dangerous or potentially dangerous animals do not pose public safety risk. This is similar to other public enforcement matters, including criminal matters, in which victims and witnesses may provide essential information but do not control the government's prosecution of laws and regulations for maintaining public safety.

The City recognizes that victims and witnesses of animal incidents have important information relevant to maintaining public safety, animal owners' compliance with the law and abatement conditions that may need to be imposed to protect the public. Consideration of due process for animal owners, preservation of public safety for the community, confidentiality of private information of animal owners and victims, availability of public records, sound evidentiary procedures, and consistency with state and local law will all be part of any Title 9 potential updates that the Council may direct or staff may recommend in support of the City's updated animal services framework. As has been noted, in addition to the public safety protections that the City's potentially dangerous and dangerous animal regulations provide, victims of dangerous animal incidents may file claims against animal owners' insurance, and/or bring civil actions to seek redress for injury or other loss they may suffer.

To the extent this recommendation seeks Municipal Code amendments by January 4, 2027, the City incorporates its response to Recommendation R3 regarding the need for City Council direction and the City Council's legislative priority-setting prerogatives.

Recommendation R6

By September 7, 2026, the City Council shall direct the City Manager's Office to secure a contract with a pet licensing and registration platform such as DocuPet, the provider of choice for dog license management by Sonoma County and the Cities of Santa Rosa, Rohnert Park, and Healdsburg by October 5, 2026 to optimize compliance with California Health and Safety Code 121690 requiring dog licensing as the vehicle for ensuring current rabies vaccination.

Response: The recommendation will not be implemented because it is not warranted or is not reasonable.

The City agrees that dog licensing is an important rabies-control tool and that improved licensing information, outreach, and administration may support compliance. However, the legal obligation to license a dog rests with the dog owner. The City can facilitate compliance, provide information, and evaluate administrative tools, but licensing compliance ultimately depends on pet owners satisfying their legal responsibilities.

The City will not commit in this response to a specific vendor or to entering a contract by the date proposed without completing procurement review, cost analysis, data-integration review, service-level review, privacy review, and evaluation of available options. These are all normal due diligence steps the City takes before committing the expenditure of public funds to software and data system acquisition, and the Grand Jury's recommendations do not supplant these safeguards. The City Manager's Office may evaluate licensing-platform options, including whether regional alignment with Sonoma County or neighboring jurisdictions would be beneficial, and may return to the City Council with a recommended approach or status update if a new platform is warranted.

Recommendation R7

By September 7, 2026, the City Council shall direct the City Manager's Office to actively pursue, with other willing municipalities and Sonoma County, the establishment of a mutually agreeable form of county-wide governance for animal control and shelter care and provide quarterly progress updates to the City Council commencing November 2, 2026.

Response: The recommendation has not yet been implemented, but will be implemented in part in the future

The City will implement this recommendation in part. The City supports regional discussions with Sonoma County and interested municipalities regarding animal control, shelter care, dog licensing, rabies control, public safety, cost sharing, and governance options regarding potential coordinated or even shared animal service delivery in the region.

The City Manager's Office will continue to participate in and support regional discussions and will provide periodic updates to the City Council. The City's participation in any

county-wide or regional governance structure will remain subject to City Council approval, fiscal analysis, legal review, and agreement among participating jurisdictions.

Recommendation R8 – Applies exclusively to Sonoma County and does not apply to the City of Petaluma.

Recommendation R9

By September 7, 2026, the City Council shall direct the City Manager's Office to develop and implement a system no later than January 4, 2027 to document citizen complaints, assign responsibility for responding, and record actions taken. This documentation should be maintained in accordance with the records retention policy.

Response: The recommendation has not yet been implemented, but will be implemented in part in the future.

The City will implement this recommendation in part in the future. The City already receives animal-services-related complaints and concerns through emails and other communications to the City Council, the City Manager's Office, and City staff, and those concerns are reviewed and, when appropriate, discussed with the City's animal services provider. As has been noted, the City already has in place and follows legally-compliant records retention and production policies.

As has also been noted in response to Finding F-4, the City disagrees with the suggestion that it has failed to receive or respond to community complaints and other input regarding animal services. As has been noted, the contractual requirements for a new animal services provider regarding providing channels for community feedback, receiving feedback, responding to the feedback, and reporting to City staff on community feedback and response will be included in the new animal services RFP and resulting contract.

Conclusion

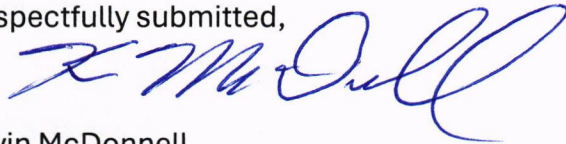
The City acknowledges and respects the public oversight role performed by the Civil Grand Jury and remains committed to ensuring humane animal care, effective public safety response, legally compliant dangerous-animal procedures, improved licensing compliance, and transparent, effective, and cost-effective oversight of animal services in Petaluma. The City has already begun implementing significant improvements to animal services delivery and performance and will continue to evaluate appropriate regulatory amendments, procedural changes, reporting procedures, complaint-tracking systems, records-retention practices, and regional service-delivery options as the City Council determines will best serve the Petaluma community and the region.

The City believes the Civil Grand Jury process is most effective when reports are grounded in extensive documentary evidence, informed by multiple perspectives, clearly distinguish factual findings from opinions, accurately characterize applicable laws and policies, and

provide specific, measurable recommendations capable of meaningful implementation. Conversely, reports are less persuasive when they rely on limited evidence, draw broad policy conclusions without sufficient factual support, or omit or mischaracterize important factual and legal context. The City respectfully submits that several aspects of this report reflect those shortcomings.

The City's responses are intended to provide the full factual, legal, and policy context necessary to understand the challenges inherent in providing effective, financially sustainable municipal animal services in Sonoma County, particularly in view of the limited service delivery options currently available. We have also provided accurate information about how the City Charter and Municipal Code apply, and how these authorities allocate City Council and staff responsibilities. We have also explained how, within the Petaluma Charter and Municipal Code framework, City Council and staff duties are routinely discharged to ensure the City responds promptly to preserve public safety and public services when the circumstances require. Accordingly the Petaluma City Council hereby submits its formal response to the 2025-2026 Sonoma County Civil Grand Jury Report in accordance with the requirements of Penal Code section 933.05.

Respectfully submitted,



Kevin McDonnell

Mayor, City of Petaluma

On behalf of the Petaluma City Council