Outlook

## Neighborhood Services and Education Council Meeting Re: The ACS Audit

**From** Jenna Skinner [redacted]
**Date** Tue 11/12/2024 11:33 PM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc** Sustain Our Shelters [redacted]

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Please distribute my comment to the mayor and council.

**The ACS Audit**

**Finding Number 1**

**The High Volume of Animals Impacts ACS' Ability to Provide Daily Care and Affects Staff Morale**
**The number of animals housed at the shelter impacts staff's workload. Based on ACS estimates and industry standards for time spent on daily tasks, care attendants would not have enough time to meet the feeding and cleaning needs of all the animals housed at the shelter when it is over capacity. When the animal population exceeds staff's capacity to meet each animal's needs, ACS compromises the physical health and overall welfare of each animal.**

In November 2023, Gatos de la Noche (GDLN) initiated a trap-neuter-return (TNR) program at Educare, a local childcare facility, to address a growing cat population. As part of this effort, three young kittens were rescued and brought to the San José Animal Care Center (SJACC) in December 2023.

Despite assurances from SJACC staff that the kittens would be placed in foster care, GDLN later discovered that the kittens were scheduled for TNR. Alarmed by this decision, given the kittens' age and potential for socialization, GDLN retrieved the kittens.

Upon retrieving the kittens, GDLN was shocked to find one kitten, Butters, severely malnourished and ill. Medical records (see examples provided) revealed that Butters had been lethargic and had exhibited symptoms of an upper respiratory infection (URI). However, he received inadequate veterinary care, including delayed treatment and insufficient medication. Butters had lost 10 ounces in the 11 days he was there. He went in healthy at 30.4 ounces and when we rescued him and his siblings he was sick and weighed 20.4 ounces. It was obvious no one was observing him and making sure he was eating. How does a kitten lose a third of his body weight and no one notice?

This incident underscores systemic issues within SJACC, including inadequate capacity and subpar animal care. The proposed year-long timeline for implementing changes is insufficient, as it could lead to the unnecessary suffering and death of countless animals. In FY 2023-2024 493 cats died in SJACC's care.They are on pace to the same this year.

GDLN calls for urgent action to address these problems and ensure that all animals in SJACC's care receive the compassion and care they deserve.

Jenna Skinner
Director

Outlook

**Animal Care & Services item NSE comment**

**From** Sustain Our Shelters [redacted]
**Date** Wed 11/13/2024 11:10 AM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

1 attachment (83 KB)
Cameron Moore 1.16.2024.pdf;

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Dear City Councilmembers,

On the agenda today is the audit performed by City Auditor Joe Rois and his team. It is an audit that is terribly condemning of the current management team and it largely confirms the concerns that the Community has been sharing with you for the past two plus years. These concerns have unfortunately been tragically ignored.

Last December, Deputy Director Jay Terrado and Director Kiska Icard said that they would "re-engage" with rescue partners after Mr. Terrado had admitted that they had "neglected" them in 2023 . . . using a manufactured false narrative about how the Maddie's Fund Audit of August of 2022 had *"found the shelter to be out of balance with other live outcomes and over-reliant on rescues"* and thus serving as the catalyst for he and his team to pivot-away from using rescues partners to get cats out of the shelter ASAP.

However, there is nowhere in that 44-page audit by *Maddie's Fund* lead shelter consultant Cameron Moore that remotely suggests such a finding. Moreover, Jay Terrado and Kiska Icard clearly failed to re-engage with rescue partners this year. Sadly, yet another false promise. See attached.

Cat Rescue as a Percentage of Intake YOY

CY 2023: 6,349 / 600 = 9.4%*
CY 2024: 6,556 / 764 = 11.6%*

The last time SJACS was a *No Kill Shelter* for Cats was back in FY 2020-2021 (>90% Live Release Rate).

This was when the budget was $8.7 million.

In FY 2020-2021 it was able to achieve a 90% LRR and did so with a Rescue Participation Rate of **37.8%.**
The recipe for Live Release Rate (LRR) success at San Jose is no secret.

It simply comes down to using *Rescue Partners!*

While the LRR for Dogs is at 93% for both the current calendar and fiscal year (largely because of a volunteer by the name of Dawn Piazza who has outperformed full-time paid staff by 300% in dog rescue placement), the LRR for Cats for the current fiscal year thru October (79%) continues to stagnate at the same 78 - 79% level of the previous two fiscal years. There has literally been no material improvement in 2024 as promised by Deputy Director Terrado and Director Icard.

The bottom line is that the shelter continues to offer the community fewer and fewer services (no low cost spay/neuter, no "trap neuter release" (TNR), no outreach) with poorer live outcomes and results, on a budget of $15.4 million.

Just what are taxpayers and the community receiving for $15.4 million a year?

**2023 - 2024 fiscal year:**

Cat Intake: 7,530 Cat Rescue: 822 Rescue as a Percentage of Intake: **10.9%** LRR: **78%**

Dog Intake: 4,147 Dog Rescue: 461 LRR: 92%

_____

Total: 11,290

**Previous 2022 - 2023 fiscal year:**

Cat Intake: **5,944**** Cat Rescue: 1,134 Rescue as a Percentage of Intake: **19.1%** LRR: **79%**

Dog Intake: 3,709 Dog Rescue: 357 LRR: 95%

_____

Total: 9,653

**Previous 2021 - 2022 fiscal year:**

Cat Intake: 9,832 Cat Rescue: 2,590 Rescue as a Percentage of Intake: **26.3%** LRR: 88%

Dog Intake: 3,639 Dog Rescue: 629 LRR: 96%

_____

Total: 13,471

**Previous 2020 - 2021 fiscal year:**

Cat Intake: 9,958 Cat Rescue: 3,763 Rescue as a Percentage of Intake: **37.8%** LRR: 90%

Dog Intake: 2,911 Dog Rescue: 1,006 LRR: 96%

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Total: 12,869

Cats Died in the care 2020 - 2021 FY: 111

Cats Died in the care: 2021 - 2022 FY: 144

Cats Died in the care: 2022 - 2023 FY: 321

Cats Died in the care: 2023 - 2024 FY: **493*****

Cats Died in the care: 2024 - 2025 FY: 129******

***** Note: Based on monthly intake numbers from the SJACS Public Dashboard

** Lowest number on record for the past 5 or more fiscal years.

*** A record.

*** 2024 - 2025 FY thru October (4-months)

Thank you for reading my email, which I hope has enlightened you as to the plight of shelter animals.

Rebekah Davis-Matthews
Sustain Our Shelters

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Outlook

## Animal shelter

**From** Lisa Rocha [redacted]
**Date** Wed 11/13/2024 9:19 PM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

[redacted]

[redacted]

I'm a community member that is deeply concerned about what is happening and not happening at the shelter. Clearly there is a crisis happening and nothing is being done to address it.

A few years ago the shelter offered low cost spay/neuter services which helped eliminate unplanned litters.  This program needs to be reinstated.

There needs to be a moratorium on breeders licenses

All animals should be spayed/neutered before being returned to family, sent to rescue or adopted

The city should look into setting up satellite locations for dog overflow instead of killing sentient beings

Unfortunately when you have unqualified people in management positions running the shelter with untrained/unqualified staff the animals are the ones who suffer.

L Rocha

Sent from my iPhone

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Outlook

## Questions for 11/14 NSE Meeting

**From** Rebecca Thorp [redacted]
**Date** Thu 11/14/2024 12:05 AM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

[redacted]

[redacted]

Good evening,

These questions are related to the release of the audit of San Jose Animal Care Services.

Who holds the shelter accountable to the deadlines agreed upon in the audit?

The audit documents a multitude of issues that clearly depict a lack of leadership. What is being done about the way the shelter is managed? Without a change in management, change cannot be counted on as the majority of these issues have been brought up for years and been ignored by management. Committees have even been created and fallen to the wayside and promises of improvement and change left unfulfilled. What change in leadership is being made now to ensure the goals of the audit are fulfilled?

Thank you.

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ccap companion & community animal project

November 12, 2024

To: Neighborhood Services and Education Committee

**Re: Reports to Committee - San José Animal Care and Services Audit Report:**
**ANIMAL CARE & SERVICES: ADDRESSING CAPACITY CONSTRAINTS AND UPDATING SHELTER PROTOCOLS WILL HELP IMPROVE ANIMAL OUTCOMES**

The audit validates the concerns the community has expressed to the Neighborhood Services and Education Committee (NSE) for many years. It confirms that:

- Animal Care and Services (ACS) has insufficient resources
- There are gaps in management practices
- External resources are not being utilized effectively
- The care of animals has been negatively affected

While the audit is a good first step in solving these problems, it fails to address some critical issues. In addition, many of ACS's responses to the audit recommendations propose developing a plan and have a target date of December 2025. Actual implementation of the proposed plan would depend on budget approval in the FY26/27 budgeting process. If approved, funds would not be available, and implementation could not begin until July of 2026, more than 19 months from now. The shelter's problems are too severe to wait that long; the shelter is in crisis now. Animal care is compromised, community needs are not being met, and the population of animals is growing exponentially. ACS responses that depend on budget approval for implementation must be available for consideration in the FY25/26 budget cycle.

- **Recommendations #1 & #2 - Shelter Capacity**

**Recommendations concerning current capacity, future demand, and required resources should be expanded.**

ACS's capacity assessment and determination of future demand require a comprehensive approach that includes community services and needs beyond kennel space. This assessment should reflect the types of requested services ACS cannot provide, such as animals turned away or calls to ACS that are not answered, and incorporate feedback on unmet community needs. For example, ACS should analyze data on services such as calls for stray animal pickups and requests for TNR support that currently go unmet. If capacity planning is limited to only in-house needs, critical services are overlooked, like TNR, which doesn't rely on traditional kenneling but is an essential aspect of capacity management.

We ask the committee to recommend that ACS conduct a broad survey of the community's needs and priorities similar to that undertaken by the City of Austin Animal Services.[1] ACS should integrate these findings into future demand[2] and resource planning, as required by recommendation #2.

ACS has proposed a target date of December 2025 to evaluate its current capacity, forecast future demand, and identify the resources required to meet that demand. This timeline is unacceptable, given the shelter's crisis. ACS should already be aware of its capacity of care, even if it has chosen to exceed that number in response to an increased animal population. ACS must determine and disclose its current capacity for care in its December 2024 annual report, allowing NSE and the community to understand the immediate limitations.

Forecasting future demand and necessary resources is a standard part of the budgeting process and is required to justify requests for budget increases. ACS should complete this analysis to support its budget request for FY 25/26 and continue performing these evaluations for subsequent budget cycles. **Note that using the Human Animal Support Services (HASS) Budget Calculator, the estimated budget for ACS should be over $22M*[3]

**Recommendation #4 - Kitten Intake Policy**

**The recommendation to change ACS policy on newborn kitten intake should require community input and the creation of alternative pathways.**

Phasing out newborn kitten intake from ACS services requires careful consideration. This would be a significant policy change that should involve community and partner input, as it shifts the burden of care onto a community that depends on the shelter to provide these services during kitten season. The recommendation only requires the shelter to determine whether it has the resources to continue offering this service. The shelter should also be required to develop and fund alternatives with appropriate support to ensure kittens receive the necessary medical care and are eventually neutered to stop overpopulation.

- **Recommendation #5 - Community Education**

**The recommendation should require education on the prevention of overpopulation.**

The recommendation to educate the community on treating newborn kittens should require that such education emphasize the importance of prevention, such as neutering kittens and mothers, to prevent overpopulation.

[1] **City of Austin Animal Services Office Survey**: https://publicinput.com/asosurvey2024_eng
[2] **City of Austin Animal Services Office - Community Survey Report 2024**: https://publicinput.com/asoplan2024
[3] **HASS Budget Calculator**: https://www.humananimalsupportservices.org/the-hass-budget-calculator/

- **Recommendation #6 - Pathway Planning**

**The recommendation should recognize the unique needs of cats.**

The recommendation on pathway planning should require the shelter to develop comprehensive criteria for assessing cats for adoption, return-to-field, and suitability for placement in cat garden homes. This approach can provide more transparent and humane outcomes, particularly for community cats.

- **Recommendation #9 - Spay/Neuter Services**

**The audit fails to recognize**

**(i) the need for the immediate implementation of robust programs for TNR and low-cost spay and neuter services to control demand and**

**(ii) ACS must increase its internal capacity to provide such services**

The lack of accessible, affordable spay and neuter options is a critical issue. Demand for TNR services has become overwhelming, with appointments unavailable until 2025. Unless the overpopulation crisis is immediately addressed through a substantial increase in spay and neuter services, the shelter will continue to be overcrowded, reactive, and unable to meet community needs.

Shelter data demonstrates that stray cats and their kittens are the primary drivers of demand for ACS services. The fastest way to lower demand for ACS services is to control the population of stray cats and kittens through robust TNR and low-cost spay and neuter programs.

ACS has attempted to enhance its capacity by utilizing agreements with external vendors; however, it has struggled to make significant progress due to a shortage of available vendors and the difficulties associated with contracting with the city. Therefore, expanding ACS's in-house spay and neuter capacity is essential.

**Recommendation #11- Association of Shelter Veterinarians Guidelines**

**The shelter's parasite treatment may not be aligned with ASV Guidelines.**

The audit did not review the shelter's policy of no flea medication for trap-neuter-return (TNR) cats, even those with lengthy stays. We request that this policy be reviewed to ensure compliance with the ASV recommendations for parasite treatment.

**Recommendation #19 - Data & Reporting**

**This recommendation should include a requirement to track and provide information on services requested and not provided.**

The recommendation should require ACS to keep records of animals that have been turned away to determine the community's demand for services accurately. The community has requested this data for multiple years. The shelter has made limited efforts to comply and only made this data available to the community in an unusable handwritten format in response to official data requests. The information provided includes all animals entered on the entry log, including those participating in the Doggy Day Out program. Since the log is handwritten, finding and separating information concerning animals denied services is extremely difficult.

Additionally, we ask for NSE to recommend ACS participate in Shelter Animals Count, a key data source for industry benchmarking that ACS has not contributed to since February of 2023 despite being used as a resource for this audit. [4]

**Recommendations #22, #23, #24 - Rescue Engagement**

**The deadline for ACS's response is too late.**

ACS states it will develop a communication protocol and update rescue group contacts by December 2025. Accelerating this process is essential to improving rescue engagement and maximizing live outcomes.

**Recommendation #37 - Maddie's Fund Recommendations**

Maddie's Fund recommendations from July 2022 were provided during an extreme shelter crisis. The proposed Community Action Committee should review these recommendations to identify solutions that enhance and expand ACS services to the community instead of shifting responsibility to the community to limit intake numbers. It is important to understand that simply restricting intake will not resolve capacity issues. Urgently prioritizing spay and neuter efforts is essential to alleviate the pressures on the shelter.

It should be noted that the Maddie's Fund report highlighted a "community cat program in place for many years supported by stakeholders and residents" as one of ACS' strengths and recommended a staff coordinator for community cats. Community cats and kittens are the most significant contributors to intake numbers. A staff community cat coordinator would streamline operations, decrease the length of stay for community cats, guide trap-neuter-return volunteers, provide essential communication to the public regarding community cat issues, and support appropriate diversion, accelerating the reduction of the overall burden on the shelter.

[4] **Shelter Animals Count - Participating Organizations**: https://www.shelteranimalscount.org/about-the-data/

**Community Action Committee**

**The purpose of the proposed Community Action Committee must be expanded.**

The ongoing crisis regarding ACS shelter capacity necessitates a community-driven response. However, ACS's proposed Community Action Committee has a limited scope, restricting community input to Recommendations #9, #22, #24, and #36b, which is insufficient. A more effective Community Action Committee would resemble the Task Force on Fees Supporting Parkland Development[5] allowing stakeholders to collaborate on developing and implementing ACS's response to the audit recommendations. This includes spay/neuter services, rescue engagement, and low-cost service options.

**Conclusion**

The challenges ACS faces are not unique and do not need to be addressed in isolation. We urge NSE to prioritize immediate action by integrating the community into the development of solutions and by ensuring adequate funding in the upcoming budget cycle. We recommend implementing stronger oversight, using an independent third party to facilitate collaboration with the community, and having the city council appoint committee members to the proposed Community Action Committee. We also ask NSE and ACS to consider the strategic planning framework used by the City of Austin's Animal Services Office[6] which utilized a third-party facilitator to develop collaborative solutions with the community.[7]

Sincerely,

*catherine valentine*
Catherine Valentine
companion & community animal project

[5] **Fees that Support Parkland Development**: https://www.sanjoseca.gov/your-government/departments-offices/parks-recreation-neighborhood-services/in-the-works/fees-that-support-parkland-development

[6] **City of Austin Animal Services Office Strategic Plan:** https://www.speakupaustin.org/f6758

[7] https://www.austintexas.gov/news/city-austin-launches-animal-services-strategic-plan-survey

Outlook

## Neighborhood Services and Education Committee (NSE) Nov, 14 2024 Comments

**From** Elena Gaffney [redacted]
**Date** Thu 11/14/2024 8:05 AM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

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Hello,

1. **Lengthy RFP process within the city prevents professional recruitment:**

To address the spay-neuter backlog at the shelter, it may be beneficial to streamline the hiring process for veterinarians through contract or consulting work, enabling qualified professionals to assist without a lengthy Request for Proposal (RFP) process. Many local veterinarians are ready to step in as contractors, coming to the shelter once or twice a week to perform high-volume spay-neuter surgeries. This approach could significantly reduce the current backlog, which leaves around 50% of shelter animals unaltered and some animals waiting 6–9 months before adoption, often end up euthanized due to mental/behavioral deterioration.

For example, a local DVM is already willing and able to begin work immediately, but the current hiring structure lacks the flexibility to onboard contract veterinarians quickly. M. Loesh noted that due to the city's lengthy RFP process, they cannot currently hire veterinarians as contractors and are instead trying to recruit part-time employees, a strategy that has yielded limited success.

Other shelters successfully use RFPs to bring in veterinary consultants specifically for high-volume spay-neuter services. The City of Hesperia, for instance, has an RFP dedicated to onsite veterinary services: https://www.cityofhesperia.us/DocumentCenter/View/19330/RFP-2023-24-002-Onsite-Veterinary-Services Santa Clara County also publishes a list of active contracts, including veterinarians who provide spay-neuter services at local shelters as paid contractors, showing that this model is both feasible and effective.

Accelerating the RFP process or allowing direct contracting could enable the shelter to address the backlog more effectively by engaging available local veterinarians ( as well as animal behaviorist, trainer for animals enrichment, evaluation, since animals are kept in back kennels not evaluated for months, are deteriorating while been isolated, are not placed for adoption). This approach would ensure a more

animal centered approach, getting them ready for adoption sooner and reduce the extended stays that currently burden the shelter.

2. **Public Spay Neuter Priority, to stop surge of animals**
Small Local Rescues are under increased pressure from the public, asking to solve public spay-neuter due to the inability of the shelter to provide low-cost spay neuter and TNR Services for our community.

Just a few years back - Low-cost spay-neuter resources used to be plentiful, and were posted on SJ shelter website. SJ Shelter USED to do a lot of in-house public spay-neuter, plus utilize a wide range of local veterinary clinics to support the population needs:

BEFORE on SJAS website ( currently Terminated):
https://acrobat.adobe.com/id/urn:aaid:sc:US:01a1fe19-eacd-4948-91c4-1b4f1f3a2758

## San Jose Animal Care & Services
## LOW-COST SPAY/NEUTER CLINIC

The City of San Jose offers a low-cost Spay/Neuter Clinic at the San Jose Animal Care Center. Our clinic operates below cost, so donations are welcome and appreciated. You can make donations at the Animal Care Center or by visiting www.sanjoseanimals.com

APPOINTMENTS: www.sanjoseanimals.com/clinic.asp

*For fastest service, request an appointment online. If you do not have internet access, call (408)794-7201.*

**Tamed/Owned Cats**
Appointments for cats are available Wednesday – Friday. All tame/owned cats must have an appointment. Kittens must be at least 12 weeks old and weigh at least 3 pounds. All cats must be in individual pet carriers or humane traps.

**Dogs**
Appointments for dogs are available Tuesday - Friday. Dogs must be between the ages of 4 months - 6 years, weigh less than 80 pounds, be friendly, and in excellent health.

| Cat Spay & Neuter Rates | Males | Females |
|---|---|---|
| Incorporated Residents* San Jose, Cupertino, Los Gatos, Milpitas, Saratoga | $15 | $20 |
| Non-Residents | $65 | $75 |

| Dog Spay & Neuter Rates | Males | Females |
|---|---|---|
| Incorporated Residents* San Jose, Cupertino, Los Gatos, Milpitas, Saratoga | $20 | $30 |
| Non-Residents | $75 | $100 |

An additional $15 will be added to the cost of surgery for pets that are pregnant, lactating, in heat or obese.

**3. We would like to extend our gratitude for your proposal to establish a Community Action Committee**, in alignment with the recommendations of the City Auditor's review. This initiative is timely and crucial for addressing the current challenges in our community, and we are eager to support the effort.

We have gathered a list of community members who have expressed strong interest in participating—enthusiasm for this project is high. To proceed effectively, could you please share the criteria for participation? We were unable to locate an existing ordinance specific to San Jose, but we did find a relevant ordinance within Santa Clara County, which may offer a useful framework to consider: Santa Clara County Animal Advisory Commission Ordinance

We are committed to contributing to solutions for shelter needs and the ongoing community overpopulation crisis. We look forward to collaborating with the city and supporting this important effort. Please let us know the next steps in moving forward.

| Name | Address ( City) | Organization/Role ( if applicable) | Advocate/Shelter Volunteer/ Community member |
|---|---|---|---|
| Elena Gaffney | San Jose | Angel's Furry Friends Rescue, 501c3/Founder | |
| Jennifer Flick | San Jose | Scritch Kittens, 501c3/Founder | |
| Jenna Skinner | San Jose | Gatos De La Noche, 501c3/Director | |
| Ana Spear | San Jose | | SJACC Volunteer |
| Rebekah Davis-Matthews | Campbell | Sustain Our Shelters, Community Group/ Founder | Community Member |
| Lakshmi Lyer | San Jose | | Community Member |
| Melissa Snow | San Jose | | Community Member |
| Dawn Livingston | Newark (work in SJ) | | SJACC Foster |
| Kathy Matzelle | San Jose | | SJACC Volunteer |
| Ilona Klimenkova | San Jose | | Community Member |
| Angela Pastor-Davis | San Jose | | Community Member |

Thank you,

Elena Gaffney
Angel's Furry Friends Rescue

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## Re: Neighborhood Services and Education Committee (NSE) Nov, 14 2024 Comments

**From** Elena Gaffney [redacted]
**Date** Thu 11/14/2024 8:13 AM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

1 attachment (121 KB)
Y Koshta DVM CV.pdf;

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You don't often get email from elena.gaffney@gmail.com. Learn why this is important

My apologies, forgot attachments.

**Intake Total:** The overall animal intake has fluctuated over the years, peaking in 2018-19 at **18,584** then declining 2021-22 to 15,670 then declining to 11,584 in 2022-23, before increasing again to 13,668 in 2023-24.

**Spay-Neuter Total**: The number of spay-neuter surgeries performed saw a gradual decline from **10,002 in 2018-19** to **3,480 in 2022-23**, before increasing to **4,769 in 2023-24**.

**Misc Surgery In-House**: This category was added in 2020-21, with 136 surgeries that year. The number increased slightly to 212 by 2023-24.

**Spay-Neuter Offsite**: This service began in 2022-23 with just 1 surgery, rising significantly to 474 in 2023-24.

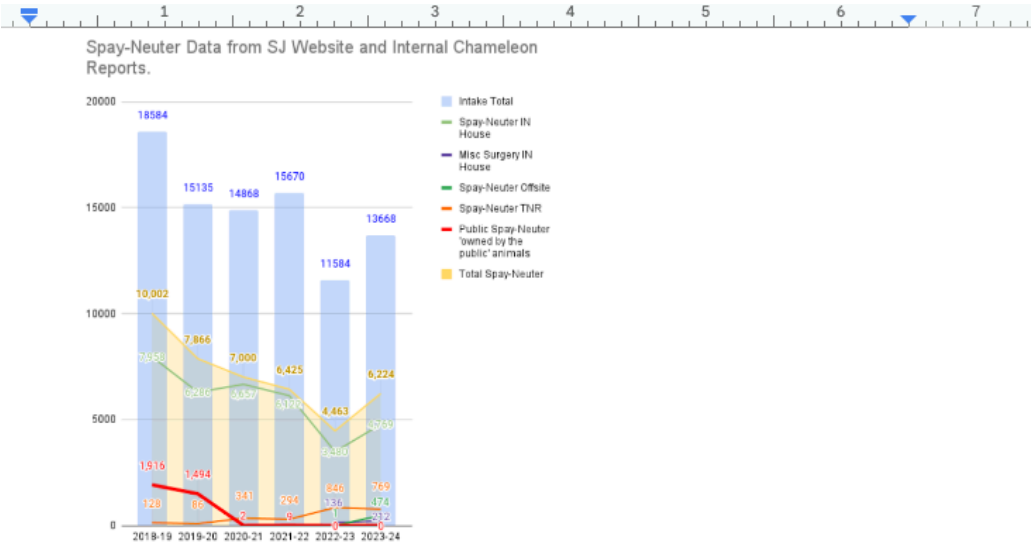
Spay-Neuter TNR (Trap-Neuter-Return): The TNR surgeries started at 128 in 2018-19, declined in the following years, then surged to 846 in 2022-23, followed by a slight decrease to 769 in 2023-24.

Public Spay-Neuter ("Owned by the Public" Animals): This category saw a sharp decline from 1,916 in 2018-19 to just 2 in 2020-21, with zero entries in the last two years (2022-23 and 2023-24).

Total Spay-Neuter: The total number of spay-neuter surgeries also decreased from 10,002 in 2018-19 to a low of 4,463 in 2022-23, with a slight recovery to 6,224 in 2023-24.

Overall Trends:

There's a **general decline** in the total spay-neuter numbers until 2022-23, after which it starts to recover slightly. **Public spay-neuter for owned animals has declined sharply and then disappeared.**




| | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 |
|---|---|---|---|---|---|---|
| Intake Total | 18584 | 15135 | 14868 | 15670 | 11584 | 13668 |
| Spay-Neuter IN House | 7,958 | 6,286 | 6,657 | 6,122 | 3,480 | 4,769 |
| Misc Surgery IN House | | | | | 136 | 212 |
| Spay-Neuter Offsite | | | | | 1 | 474 |
| Spay-Neuter TNR | 128 | 86 | 341 | 294 | 846 | 769 |
| Public Spay-Neuter 'owned by the public' animals | 1,916 | 1,494 | 2 | 9 | 0 | 0 |
| Total Spay-Neuter | 10,002 | 7,866 | 7,000 | 6,425 | 4,463 | 6,224 |

Spay-neuter Data from SJ web site and Internal Chameleon Reports.

| | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 |
|---|---|---|---|---|---|---|
| Intake Cats | 5492 | 8855 | 9958 | 9856 | 6276 | 7833 |
| Intake Dogs | 10495 | 4290 | 2911 | 3663 | 3895 | 4389 |
| Intake Other | 2597 | 1990 | 1999 | 2151 | 1413 | 1446 |
| Intake Total | 18584 | 15135 | 14868 | 15670 | 11584 | 13668 |
| Spay-neuter IN House | 7,958 | 6,286 | 6,657 | 6,122 | 3,480 | 4,769 |
| Misc Surgery IN House | | | | | 136 | 212 |
| Spay-neuter TNR | 128 | 86 | 341 | 294 | 846 | 769 |
| Offsite - HSSV | | | | | 1 | 7 |
| Offsite - Valley Humane | | | | | | 210 |
| Off-site- Snip Bus | | | | | | 25 |
| Off-site- SNIPBUS | | | | | | 185 |
| Off-site- A1317891 | | | | | | 1 |
| Off-site- EPCSC | | | | | | 2 |
| Off-site- Nine Lives | | | | | | 20 |
| Off-site- Other | | | | | | 24 |
| Public Spay-neuter 'owned by public animals' | 1,916 | 1,494 | 2 | 9 | 0 | 0 |
| Total Spay-Neuter | 10,002 | 7,866 | 7,000 | 6,425 | 4,463 | 6,224 |

On Thu, Nov 14, 2024 at 8:03 AM Elena Gaffney <elena.gaffney@gmail.com> wrote:

> Hello,

1. **Lengthy RFP process within the city prevents professional recruitment:**

To address the spay-neuter backlog at the shelter, it may be beneficial to streamline the hiring process for veterinarians through contract or consulting work, enabling qualified professionals to assist without a lengthy Request for Proposal (RFP) process. Many local veterinarians are ready to step in as contractors, coming to the shelter once or twice a week to perform high-volume spay-neuter surgeries. This approach could significantly reduce the current backlog, which leaves around 50% of shelter animals unaltered and some animals waiting 6–9 months before adoption, often end up euthanized due to mental/behavioral deterioration.

For example, a local DVM is already willing and able to begin work immediately, but the current hiring structure lacks the flexibility to onboard contract veterinarians quickly. M. Loesh noted that due to the city's lengthy RFP process, they cannot currently hire veterinarians as contractors and are instead trying to recruit part-time employees, a strategy that has yielded limited success.

Other shelters successfully use RFPs to bring in veterinary consultants specifically for high-volume spay-neuter services. The City of Hesperia, for instance, has an RFP dedicated to onsite veterinary services: https://www.cityofhesperia.us/DocumentCenter/View/19330/RFP-2023-24-002-Onsite-Veterinary-Services Santa Clara County also publishes a list of active contracts, including veterinarians who provide spay-neuter services at local shelters as paid contractors, showing that this model is both feasible and effective.

Accelerating the RFP process or allowing direct contracting could enable the shelter to address the backlog more effectively by engaging available local veterinarians ( as well as animal behaviorist, trainer for animals enrichment, evaluation, since animals are kept in back kennels not evaluated for months, are deteriorating while been isolated, are not placed for adoption). This approach would ensure a more animal centered approach, getting them ready for adoption sooner and reduce the extended stays that currently burden the shelter.

2. **Public Spay Neuter Priority, to stop surge of animals**
Small Local Rescues are under increased pressure from the public, asking to solve public spay-neuter due to the inability of the shelter to provide low-cost spay neuter and TNR Services for our community.

Just a few years back - Low-cost spay-neuter resources used to be plentiful, and were posted on SJ shelter website. SJ Shelter USED to do a lot of in-house public spay-neuter, plus utilize a wide range of local veterinary clinics to support the population needs:

BEFORE on SJAS website ( currently Terminated):
https://acrobat.adobe.com/id/urn:aaid:sc:US:01a1fe19-eacd-4948-91c4-1b4f1f3a2758

## San Jose Animal Care & Services

## LOW-COST SPAY/NEUTER CLINIC

The City of San Jose offers a low-cost Spay/Neuter Clinic at the San Jose Animal Care Center. Our clinic operates below cost, so donations are welcome and appreciated. You can make donations at the Animal Care Center or by visiting www.sanjoseanimals.com

APPOINTMENTS: www.sanjoseanimals.com/clinic.asp

*For fastest service, request an appointment online. If you do not have internet access, call (408)794-7201.*

**Tamed/Owned Cats**

Appointments for cats are available Wednesday – Friday. All tame/owned cats must have an appointment. Kittens must be at least 12 weeks old and weigh at least 3 pounds. All cats must be in individual pet carriers or humane traps.

**Dogs**

Appointments for dogs are available Tuesday - Friday. Dogs must be between the ages of 4 months - 6 years, weigh less than 80 pounds, be friendly, and in excellent health.

| Cat Spay & Neuter Rates | Males | Females |
|---|---|---|
| Incorporated Residents* San Jose, Cupertino, Los Gatos, Milpitas, Saratoga | $15 | $20 |
| Non-Residents | $65 | $75 |

| Dog Spay & Neuter Rates | Males | Females |
|---|---|---|
| Incorporated Residents* San Jose, Cupertino, Los Gatos, Milpitas, Saratoga | $20 | $30 |
| Non-Residents | $75 | $100 |

An additional $15 will be added to the cost of surgery for pets that are pregnant, lactating, in heat or obese.

**3. We would like to extend our gratitude for your proposal to establish a Community Action Committee**, in alignment with the recommendations of the City Auditor's review. This initiative is timely and crucial for addressing the current challenges in our community, and we are eager to support the effort.

We have gathered a list of community members who have expressed strong interest in participating—enthusiasm for this project is high. To proceed effectively, could you please share the criteria for participation? We were unable to locate an existing ordinance specific to San Jose, but we did find a relevant ordinance within Santa Clara County, which may offer a useful framework to consider: Santa Clara County Animal Advisory Commission Ordinance

We are committed to contributing to solutions for shelter needs and the ongoing community overpopulation crisis. We look forward to collaborating with the city and supporting this important effort. Please let us know the next steps in moving forward.

| Name | Address ( City) | Organization/Role ( if applicable) | Advocate/Shelter Volunteer/ Community member |
|---|---|---|---|
| Elena Gaffney | San Jose | Angel's Furry Friends Rescue, 501c3/Founder | |

| | | | |
|---|---|---|---|
| Jennifer Flick | San Jose | Scritch Kittens, 501c3/Founder | |
| Jenna Skinner | San Jose | Gatos De La Noche, 501c3/Director | |
| Ana Spear | San Jose | | SJACC Volunteer |
| Rebekah Davis-Matthews | Campbell | Sustain Our Shelters, Community Group/ Founder | Community Member |
| Lakshmi Lyer | San Jose | | Community Member |
| Melissa Snow | San Jose | | Community Member |
| Dawn Livingston | Newark (work in SJ) | | SJACC Foster |
| Kathy Matzelle | San Jose | | SJACC Volunteer |
| Ilona Klimenkova | San Jose | | Community Member |
| Angela Pastor-Davis | San Jose | | Community Member |

Thank you,

Elena Gaffney
Angel's Furry Friends Rescue

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Outlook

**Re: SJACS - City Audit**

**From** M Wagner [redacted]
**Date** Wed 11/13/2024 5:33 PM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc** District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>; Munguia, Emily <Emily.Munguia@sanjoseca.gov>; Taber, Toni <toni.taber@sanjoseca.gov>

3 attachments (368 KB)
OKR_Q1_Q2_FY2024-2025.PNG; OKR-Q4_FY2023-2024.PNG; Jennifer_Maguire-NoOKRs.PNG;

[**External Email**. Do not open links or attachments from untrusted sources. Learn more]

**SUBMITTING FOR THE CITY OF SAN JOSE PUBLIC RECORD**

ATTN: Miss Dev Davis, Chairwoman, Neighborhood Services & Education Committee

TOPIC: SJACS AUDIT 2024

DATE: 11/13/2024

Dear Chairwoman Davis and City Councilmembers,

As someone that has been involved with the San Jose Animal Care Center since 2018 as a rescue donor and for 3 years as a board member of an authorized 501(c)3 partner of the shelter that operated the SJACS Kitten Foster Program (2019-2021) under the leadership of SJACS veterinarian Dr. Tiva Hoshizaki, I must say that I find the recently released Audit to be a terrible condemnation of the current shelter management team.

For the past 2.5 years, the Community has shared their concerns with top City administrators about a shelter that continually fails to meet the needs of the Community. Moreover, these concerns have repeatedly been deflected, deferred, dismissed, discounted, denied, and flat-out ignored by the SJACS Deputy Director and his Staff, not to mention the City Manager's Office.

Tragically, this Audit by Joe Rois and his team confirms the Community's repeated concerns.

Given that the Audit repeatedly shows that the shelter isn't even in compliance with basic ASV Guidelines, this certainly begs the question why the shelter's three directors and two shelter managers continue to be employed at the City of San Jose. The three Directors are all making

well over $200,000 a year and the two shelter managers are making $114,000 a year. And yet over the past 2.5 years, the City Manager and her Deputy haven't replaced a single Director or Shelter Manager.

The fact that the City Manager refuses to find a Deputy Director and management team with the proper skill set is indeed puzzling, if not negligent given the findings of this Audit. The Community has made the City Manager, her Deputy, her Public Works Director and City Councilmembers of the NSE Committee highly aware of just how bad this shelter has been operating over the past 2.5 years with concerns that have been substantiated by data and documentation. This Audit clearly indicates that the SJACS management team has repeatedly failed the Community and the animals in its care and broken the public trust with their sheer incompetence. It's puzzling why the City Manager has essentially chosen to do the same with their inaction and maintenance of the status-quo.

In July of 2022, the *Maddie's Fund Audit* made 21 recommendations.

Sixteen months later, Public Works Director Matt Loesch stated at the presentation of the FY 2022 - 2023 Annual Report to the NSE Committee in December of 2023, that only 9 of those recommendations had been implemented by his Staff. Interestingly enough, the Audit highlighted these recommendations and stated that some of these 9 recommendations that were claimed to have been implemented by Mr. Loesch and his Staff were merely "considered" and not implemented.

Given that the current management team has repeatedly proven that they have mismanaged the shelter and do not command the proper skill set to even comply with the most basic of ASV Guidelines, it's certainly questionable why anyone would have any confidence that this "team" could implement the 39 recommendations made by the Auditor in a span of 12-months.

**If Staff barely completed a "claimed" 9 recommendations from the *Maddie's Fund Audit* after 16-months, why would anyone think that they could achieve implementing 39 recommendations from the Auditor in 12-months?**

Furthermore, a recommendation by the *Maddie's Fund Audit* to appoint a dedicated Rescue Coordinator has fallen on deaf ears by this management team.

It's been 28-months since this recommendation was made, and yet the shelter still hasn't hired a dedicated full-time Rescue Coordinator even though cat rescue participation as a percentage of intake hit 10.9% for the previous fiscal year and is currently only 11.6% for the first ten months of this year. These are unprecedented poor numbers for rescue partner participation at SJACS. For context, this is a metric that was as high as 37.8% just four years ago when SJACS had last achieved a live release rate (LRR) of 90% and was a *No Kill Shelter* for cats. Sadly, rescue partners have literally been driven away from supporting this shelter given the sheer incompetence of its management team.

Moreover, it should not go unnoticed that the current "acting" Deputy Director of SJACS does not have any operations experience on her resume. Her resume largely shows a marketing and public information manager background. Again, I find it highly questionable as to why anyone would place any confidence in this Deputy Director and her Staff and their ability to turn the shelter around and implement 39 recommendations by the City Auditor, given that it has been this very SAME MANAGEMENT TEAM that has placed the shelter in such a harrowing disposition.

Interestingly enough, when conducting a recent public information request for OKR's of this management team, there were ***no responsive records to my request for the last 9 months.***

Even though we are five months into the current fiscal year of 2024-2025, there are no OKR's for Q1 and Q2 of this current fiscal year, nor was there an OKR for Q4 of FY 2023-2024. (see attached)

Nearly a week ago, I reached out to the City Manager and her Deputy via email asking if they were aware of the fact that there were no OKR's for the SJACS Management Team for the past 9 months. Sadly, I failed to receive the courtesy of a reply.

On February 24th, 2023, my animal welfare colleague's and I attended a meeting with Mayor Matt Mahan that had been arranged by Mackenzie Mossing on my behalf. It was at this meeting that Deputy City Manager Rios was in attendance and stated that he would "re-engineer" the shelter and that there "was no reason why the San Jose animal shelter could not become a model shelter for the rest of the country."

That was nearly 2 years ago, and the shelter has done nothing since but offer less intake of animals, less services to the Community ( no spay/neuter and no trap-neuter-release ), less live outcomes for the animals in its custody, and more suffering and death for the animals that come into this shelter . . . all on a budget of $15.4 million dollars - - - an increase of 77% from just four years ago.

Make no mistake, this shelter has been terribly mismanaged.
The data confirms this and so does this Audit.

It's high time for the SJACS Management Team to be held accountable and move forward with a new team.

Sincerely,

Michael Wagner

RE: PUBLIC RECORDS REQUEST of October 17, 2024, Reference # R006232-101724

Dear Michael Wagner,

The City of San Jose received a public information request from you on October 17, 2024. Your request mentioned:

**"I would like to formally request the Animal Care & Services OKR for Q1 and Q2 of Fiscal 2024-2025.**

**Thank You.**

**Mike Wagner"**

The City of San Jose has reviewed its files and has determined there are no responsive documents to your request.

If you have any questions or wish to discuss this further, please reply to this email.

Sincerely,

Heather Kameda
Senior Office Specialist
Animal Care & Services (SJACS)

To monitor the progress or update this request please log into the Public Records Center

Powered by GovQA

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

RE: PUBLIC RECORDS REQUEST of October 26, 2024, Reference # R006334-102624

Dear Michael Wagner,

The City of San Jose received a public information request from you on October 26, 2024. Your request mentioned:

**"I would like to formally request the Animal Care & Services OKR for Q4 of FY2023-2024.**

**Thank You!**

**Mike Wagner"**

The City of San Jose has reviewed its files and has determined there are no responsive documents to your request.

If you have any questions or wish to discuss this further, please reply to this email.

Sincerely,

Heather Kameda
Senior Office Specialist
Animal Care & Services (SJACS)

To monitor the progress or update this request please log into the Public Records Center

Powered by GovQA

Re: SJACS - No OKR's

Yahoo/Sent

**M Wagner**
**From:** [redacted]
**To:** Maguire, Jennifer
**Cc:** Rios, Angel

Fri, Nov 8 at 5:23 AM

Dear Miss Maguire,

In an effort to learn what specific goals have been identified for the SJACS management team, I recently made a public information request for the quarterly OKR's going back the last three fiscal years.

I was shocked to learn that there were *"no responsive documents to (my) request"* for the ***last 3 quarters.***
See attached below.

Last week, during a phone call with Matt Loesch I asked why there were no OKR's.
Matt had no answer.

Are you aware that there are no OKR's for SJACS for the last 3 consecutive quarters?
If so, do you know why this is?

It's puzzling how your SJACS management team can be held accountable for their performance without OKR's.

Sincerely,

Mike Wagner

Outlook

**Public Comment: Neighborhood Services and Education Committee (NSE) Nov, 14 2024**

**From** K Up [redacted]
**Date** Thu 11/14/2024 10:24 AM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

[redacted]

The recent audit has brought to light numerous, long-standing issues that continue to harm the shelter's most vulnerable—its voiceless animals. Delaying corrective action, even by a single day, means more animals are being needlessly killed in the meantime. Currently, each week, at least four dogs are placed on euthanasia lists, and the community is provided a mere 72 hours to find alternatives. This unreasonably short timeframe leaves the community and volunteers scrambling to advocate, find rescues, fosters, and funding. Many dogs have lost their lives due to such unreasonable constraints.

**Social Media:**

Volunteers are shouldering the heavy burden of promoting these dogs on their own social media, sharing personal stories, photos, and videos in hopes of reaching adopters and rescues. They network with other groups and organizations to find solutions.

The basic, automated shelter emails sent to rescues, without personalization or shelter-driven social media support, often go understandably unnoticed by rescues flooded with similar daily messages from other shelters, nearly amounting to spam. Yes, by sending out these lackluster emails, the shelter might claim they've made and effort —but have they really, in ways that matter?

Despite having a broad social media audience, the shelter itself does not promote these at-risk dogs on those platforms. This raises the question: what is the purpose of a shelter if not to actively save and advocate for the animals within it? Why wouldn't every available opportunity be used to help the animals who need it the most?

**Impossible Deadlines:**

The 72-hour deadline is extremely limiting for adopters, volunteers, community members, and rescues to arrange the necessary logistics. Many rescues expressed interest in specific dogs on the various euthanasia lists but struggled to find fosters within the tight timeframe posed by the shelter, resulting in dogs losing their lives.

Everyone willing to help has other obligations: family, jobs (sometimes two), studying, and emergencies to handle outside of their philanthropic efforts. It's unreasonable to expect people to be constantly glued to social media, waiting for the chance to hear about a dog in need of fostering, adoption, or rescue, and then be able to drop everything and rush to the shelter on a moment's notice. Therefore, living beings who are slated for euthanasia by the shelter deserve, at the very least, two weeks and two

full weekends to secure a successful outcome. It's not enough for the animals to simply leave the shelter; as a community, we must ensure they are placed in the right homes or environments once they are outside. Two weeks with two full weekends is not too much to ask in order to properly coordinate a successful outcome. Simply put, 72 hours is insufficient. It is illogical and cruel.

**Lack of Spay-Neutering, Playgroups & Pongo:**

Countless dogs also remain unspayed or unneutered, complicating playgroup placements that are crucial for exercise, socialization, enrichment and training. Playgroups are the number one most efficient way to get as many dogs as possible out at once if done right. Recently, a dog named Pongo who was made to deal with a series of unfortunate oversights and unnecessary constraints. After 10 months at the shelter without being neutered, Pongo had his genitals entangled with a leash or harness. He reacted as any dog in probable pain would toward that staff. This is not a criticism of the individual staff member but a critique of management's decision to immediately place him on a 72-hour euthanasia timeline despite being aware of the context. To top it off, a rescue organization was interested in saving Pongo, but the 72-hour time limit did not allow them room to find a suitable foster in time. Pongo—a young, vibrant dog with numerous positive social media videos and successful outings and interactions—was ultimately euthanized by the shelter. Stories like Pongo's are tragically too common.

With intake rates stable or even declining, resident dogs should be spayed or neutered quickly by shelter vets. What is the delay? Big dogs should be prioritized by the vets before all others since big dogs are the ones who need to get into playgroups. This is especially true with the lack of other enrichment opportunities being offered to prevent the dogs from mentally declining in the small kennels and because the stay for big dogs is often longer than that of other animals. Again, the frustration that naturally arises for dogs in the current shelter setup and with the current systems is then used against them, becoming a reason for staff to place them on euthanasia lists. I hope you can see the vicious cycle these dogs are trapped in and how they are let down at multiple levels. Rescues have even offered to cover the cost of a visiting vet to assist with spay/neuter surgeries once a week, but this was declined due to "lack of process" and red tape for veterinary work from outside the known shelter system. You have to create a path for outside help when the current staff is not performing to standard.

**Mental Enrichment:**

Additionally, dogs are kept in kennels without toys as mental enrichment. Why? When dogs are not being taken out daily, and even when they are it's only for 10-15 minutes, then why wouldn't one logically employ other items to sustain them mentally. Toys sustain dogs mentally by occupying the blandness of their hours and keeping them engaged. Also, treats for these poor animals are supplied mainly by volunteers. Why?

**Staff:**

Some shelter staff are undoubtedly dedicated and wonderful. I would like to mention that here. But in light of this audit, it's crucial to reassess if the right staff is in right place to protect these animals. These positions should never have been an internship for humans to hone their skills. It should not be an on-the-job training, especially at the management level as animal lives are in the balance here. If certain roles are proving too challenging for some staff, perhaps they would thrive better in different positions. It's not easy to say something like this, but one must as there is a tendency to rush to euthanasia by the shelter management whenever criticism arises rather than addressing underlying issues. It's easier to kill the voiceless animals to make the problems go away than sit reflect, problem-solve and get creative. I personally don't find pleasure in writing emails like this, but at the other end of it, I'm reminded of the countless faces of animals who have been let down, and of those who now face uncertain futures...

These animals cannot speak for themselves or demand justice and that is why many tend to dismiss their struggles. If even one foster child were lost or hurt under similar circumstances, there would be an outcry by city officials. So where is the outcry from city officials as all these animals are needlessly killed? For years, these issues have been reported without meaningful response. So many lives were lost in the delay. Why did it take an external, third party audit pushed for by the community for city leaders to begin to take the community's concerns seriously? The city needs to also get its act together for the sake of the innocent animal lives. They are God's loving creations too. Their lives matter...

If there is genuine interest in addressing these problems, please reach out to those with firsthand experience with the problems and insight into potential solutions. Action must be taken immediately—not in a year, a month, or even a week. These animals have long been waiting at the mercy of those who have the power to do something. Please be the changemaker.

Thanks,

Krishna



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Outlook

**(Edited) Public Comment: Neighborhood Services and Education Committee (NSE) Nov, 14 2024**

**From** K K [redacted]
**Date** Thu 11/14/2024 11:50 AM
**To** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>

[redacted]

[redacted]

Dear Members of the Neighborhood Services and Education Committee,

The recent audit has brought to light numerous, long-standing issues that continue to harm the shelter's most vulnerable—its voiceless animals. Delaying corrective action, even by a single day, means more animals are being needlessly killed in the meantime. Currently, each week, at least four dogs are placed on euthanasia lists, and the community is provided a mere 72 hours to find alternatives. This unreasonably short timeframe leaves the community and volunteers scrambling to advocate, find rescues, fosters, and funding. Many dogs have lost their lives due to such unreasonable constraints.

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Thanks,

Krishna

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Outlook

## FW: City Council Meeting - Agenda Item 3.3 (SJACS)

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Mon 12/2/2024 8:36 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

2 attachments (323 KB)
SJACS-FY2023_2024annualreport_Maddies.PNG; Audit-Maddies.PNG;

**From:** M Wagner <[redacted]
**Sent:** Monday, December 2, 2024 8:34 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>
**Subject:** Re: City Council Meeting - Agenda Item 3.3 (SJACS)

[**External Email**. Do not open links or attachments from untrusted sources. Learn more]

Submitting for the City of San Jose Public Record

AGENDA ITEM: 3.3

TOPIC: City Audit Recommendations (39)

DATE: 12/2/2024

Dear City Council,

After having read the recently released City Audit of the San Jose Animal Care Center which was requested by the Mayor's Office back in October of 2023, I believe that it is highly questionable whether or not the current Management team at SJACS will be capable of implementing 39 recommendations made by the audit by December 2025.

The Audit clearly highlights massive incompetence and negligence by the entire SJACS Management team; it's three directors and two shelter managers.

In fact, the audit found that this management team wasn't even in compliance with basic Association of Shelter Veterinarian (ASV) Guidelines. As you are well aware, much of the information that is contained in this audit has been expressed to you given the concerns shared by the community for well over 2 years.

On December 12th, 2023 at the NSE Committee Meeting, Public Works Director Matthew Loesch stated that only 9 out of 21 of the Maddie's Fund Audit Recommendations had been implemented from their audit of August 2022. (see page #15 attached from the SJACS FY 2022-2023 Annual Report)

However, page #83 of the Audit (see attached) questions how many of these Recommendations were actually "implemented" by the SJACS Management team. In fact, the audit states:

*"ACS has considered many of the recommendations as 'completed,' even though some had merely been* ***considered*** *for implementation."*

The Audit does not make clear which Recommendations from the Maddie's Fund Audit of August 2022 were found to be *merely considered.* However, as of December 14th, 2023 Public Works Director Loesch has claimed that 9 had been implemented in 16 months.

**QUESTION:**

If it took 16 months for this Management team to "implement" 9 Recommendations from the *Maddie's Fund Audit*, why would anyone have confidence in this same team implementing 39 Recommendations from the *City Audit* in the next 12 months?

Furthermore, NSE Chairwoman Dev Davis requested Mr. Loesch to provide a "work plan" for today's December 3rd City Council Meeting. However, given the Mayor's Memorandum from November 27th, it appears that the presentation of this "work plan" has been postponed until May of 2025.

Why?

The lack of urgency to implement these recommendations is puzzling.
In the meantime, more animals will continue to suffer and die.

Sincerely,

Michael Wagner

Former board member, *Kitten's First for the San Jose Animal Care Center*
(2019 - 2021)

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**Maddie's Million Pet Challenge Recommendations**

During Calendar year 2022 ACS leadership applied for a consultation audit from Maddie's Fund, a non-profit organization, that was launching the Maddie's Million Pet Challenge. The goal of the Million Pet Challenge was to help animal shelters and their communities to build programs to keep families and their pets together, improve outcomes for all shelter pets, and assure that pets who already have families receive the care that they need. ACS was awarded the consultation and a team from the Maddie's Million Pet Challenge conducted an onsite consultation in July 2022.

ACS continues to implement the Maddie's Million Pet Challenge (Maddie's) Recommendations[2] that were provided in July 2022. The following categories of the Maddie's recommendations sections have already been implemented by ACS staff:

- Shelter Medicine and Surgery
- Admissions/Medical Intake Protocols
- Sanitation and Safety Measures
- Field Services
- Volunteer Program
- Animal Handling
- Foster Care
- Intake Process
- Statistics and Trade

The following categories of the Maddie's recommendations have not been fully implemented, though many are in progress:

- Record Keeping
- Population Management and Capacity
- Community Programs, Surrender Policies and Safety Net
- Community Cat Program
- Live Outcome Programs
- Adoption Program
- Rescue/Transfer

## Summary

The Maddie's Fund Consult report of 2022 resulted in over 200 recommendations to improve shelter operations. While ACS has made progress towards implementing the recommendations, work still remains to be completed. In some cases, recommendations may be outdated or not in line with ACS practices. ACS should set targets and prioritize the remaining recommendations and designate an individual to track progress across the different areas of shelter operations.

## ACS Can Set Targets and Priorities for Implementing Maddie's Fund Recommendations

In June 2022, Maddie's Million Pet Challenge provided a consult to ACS, consisting of a two-day visit where consultants reviewed shelter operations and met with ACS leadership and staff. The report also referred to resources and best practices. The final consult report contained over 200 recommendations or opportunities for improvement across all aspects of the shelter's operations.

Initially, ACS began internally tracking the progress of the recommendations, but that was not the case at the time of the audit. According to ACS, this was because staff shifted their focus to work on aligning their internal protocols to the most recent ASV Guidelines, which were released after the Maddie's Fund consult in July 2022.

The consult report incorporates best practices and industry standards, including the ASV Guidelines, that were in place at the time of the consult. However, not all recommendations made by the consult report may be applicable for ACS. For instance, the report suggests allowing non-urgent intake of animals through appointments, but the shelter is currently prioritizing intake of unhealthy animals due to shelter overcapacity. Additionally, the report recommends that the shelter use TikTok to create and post videos of animals with the help of staff and volunteers. Currently, the use of this platform is not on the list of recommended social media platforms by the City Manager's Office of Communications.

ACS has considered many of the recommendations as "completed," even though some had merely been considered for implementation. It can be helpful to distinguish between important industry "must-haves" from the "nice-to-haves" to

Outlook

## FW: Item agenda 3.3 for city council meeting 12/3/24

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Mon 12/2/2024 11:16 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

-----Original Message-----
From: Anne Deschenes <[redacted]
Sent: Monday, December 2, 2024 10:25 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: Item agenda 3.3 for city council meeting 12/3/24

[External Email. Do not open links or attachments from untrusted sources. Learn more<https://aka.ms/LearnAboutSenderIdentification>]

[You don't often get email from [redacted] Learn why this is important at https://aka.ms/LearnAboutSenderIdentification ]

My name is Anne Deschenes and I live in District 5 in San Jose. I am writing in to express my desire for the city council to accept the results from the audit regarding the status of the San Jose Animal Care Center. For a city this size and the amount of money for their budget it is a disgrace for how animals the SJACC are being cared for. I have been a volunteer transporter for FETCH for the last 4.5 years. Transport requests have fallen dramatically since the shelter chose not to work with rescues. There was a time when I transported animals TO SJACC from Salinas and Los Banos because those shelters were overwhelmed and SJACC had room. This was during a time when the shelter actively worked with rescues all over the Bay Area and even beyond to Washington state.
I have also witnessed the staff tell the public who came in with found animals to keep them themselves or release them back where they found them because there wasn't any room. You cannot release an animal, especially a dog, back out to fend for themself in an urban area. This would be like telling someone who found a child to just leave them where you found them.
The rank and file staff work hard and do the best they can. I feel since the management was changed a few years ago the care that animals have received has diminished. Please hold management accountable for the sub par care that is being given to the animals. And hold them accountable for implementing the recommendations that are given in the audit.
Thank you,
Anne Deschenes
Sent from my iPad

Outlook

## FW: Re San José Animal Care and Services Audit Report 12/3 Public Comment Agenda Item #3.3

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Mon 12/2/2024 11:16 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Krista Wirth <[redacted]
**Sent:** Monday, December 2, 2024 11:14 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Cc:** District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>
**Subject:** Re San José Animal Care and Services Audit Report 12/3 Public Comment Agenda Item #3.3

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Some people who received this message don't often get email from [redacted] Learn why this is important
Dear Honorable Mayor and City Council Members,

I am a District 6 constituent and lifelong San José resident. I volunteer with the dogs at San Jose Animal Care Services (SJACS). I am also a law student studying animal law and serve on the Board of Directors of a nonprofit spay/neuter clinic in the East Bay that is working to increase access to spay/neuter and other lifesaving veterinary care.

Thank you to all of the staff and volunteers at SJACS for their hard work caring for the animals in our community. And thank you to the City Council for discussing the City Auditor's Report at the upcoming council meeting.

I am writing to kindly echo similar comments encouraging the city to increase community access to affordable spay/neuter services.

Unfortunately, veterinary care has become increasingly unaffordable for people at all income levels and especially for underserved community members. There are several reasons for this, including a shortage of veterinary professionals and private equity investment in veterinary care.

There are some exciting developments at the state level that aim to help reduce the pet overpopulation crisis, including recently passed legislation that allows California veterinary schools to establish high-quality, high-volume spay/neuter training certification programs (*see* https://www.gov.ca.gov/2024/09/26/governor-newsom-signs-pet-insurance-reform-bill-takes-action-to-support-animals-and-pets/), but the benefits of these initiatives are many years away.

I know increasing community access to spay/neuter may be easier said than done, but I kindly encourage the city to make this a priority. Increasing access to affordable spay/neuter is one of the most

effective ways to reduce strain on the shelter and city resources in the long term. There is also a need for increased access to affordable essential care like vaccinations.

Thank you very much for your time, effort, and consideration on these important issues.

Sincerely,

Krista Wirth
J.D. Candidate, Animal Law
San José Resident

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Outlook

## FW: Agenda item 3.3 - December 3, 2024 Council Meeting

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Mon 12/2/2024 3:19 PM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Sue Dileanis <[redacted]
**Sent:** Monday, December 2, 2024 3:04 PM
**To:** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** City Clerk <city.clerk@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>
**Subject:** Agenda item 3.3 - December 3, 2024 Council Meeting
**Importance:** High

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Dear Katerina, City Clerk, Mayor and Council Members:

Agenda item 3.3

I'm writing concerning the crisis at the San Jose Animal Care Center. My taxes are funding this shelter, but the care that animals are receiving has been steadily declining. From what I have read in the audit, and from friends who are closely involved with the shelter, there is a complete failure of systems; anywhere from feeding to cleaning, medical care, coordination with rescue groups and shoddy record-keeping. The audit noted that almost 60% of shelter animals have expired rabies certificates, which is a violation of state laws. Paperwork keeping track of drugs is many times incomplete or even missing. The city audit documents just how bad things have gotten. Clearly something needs to be done.

I have seen dogs that are in filthy kennels caked with feces and urine. Their kennels are so full of feces the poor dogs don't even have any place to sit or lay down without being on top of it. The smell is so bad the public doesn't even want to go there to adopt a dog. I know someone who brought a cat in that clearly needed medical treatment, yet it was not done. Many health issues are not treated and animals end up being euthanized when it was completely unnecessary. Dogs are kept in their kennels for weeks and even months, without rescue groups being notified to pull them from the shelter, and without being walked, which can result in them becoming unadoptable due to stress. Rescue groups are not notified that an animal will be 'euthanized unless rescued' in a timely manner and with extremely short notice. There is a huge backlog of volunteers, and applications take forever to process. Some volunteer applicants are told that their application was rejected because they are at capacity. Yet there is a clear need for more volunteers.

A Rescue Coordinator was hired, yet it was a temporary position for a few months, and when the contract ended she was not rehired even though she was doing a great job. I also think the shelter would benefit from a full time Animal Behaviorist. A dedicated position would enable the shelter to structure enrichment, socialization, behavior modification and offset the stressful conditions of the shelter environment on the animals. An Animal Behaviorist would also provide post-adoption support and owner-retention programs, increasing positive outcomes.

I would also like to bring up the fact that the previous shelter manager would send animals to trusted partners in the Pacific Northwest, but the current shelter manager has no interest in doing this. This is another wasted opportunity to save animals lives, while costing no additional funds.

Please address this situation for what it is - a crisis!

Thank you

Sue =^. .^=

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Outlook

# FW: City Council Meeting - Agenda Item 3.3 (SJACS)

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:45 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

8 attachments (1 MB)

Panleukopenia_Response_Plan.pdf; PanLeuk Protocol-Lorance_Gomez.pdf; PanLeuk Protocol to Jay Terrado.pdf; Panleukopenia_Response_Plan-2023Kather.pdf; Public Submission SJ_Avg Length of Stay and Intake Date Resetting 12022024.pdf; Average Length of Stay Metric #3 (1).pdf; SJACS_Audit_panleuk_quarantine.PNG; SJACS_Audit_DEA_laws.PNG;

**From:** M Wagner [redacted]
**Sent:** Monday, December 2, 2024 10:13 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>
**Subject:** Re: City Council Meeting - Agenda Item 3.3 (SJACS)

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Submitting for the City of San Jose Public Record

AGENDA ITEM: 3.3

TOPIC: **Mismanagement of an Infectious Disease Outbreak**

DATE: 12/2/2024

Dear City Council,

On Monday, June 26th, 2023 I attended a Cat Subgroup Stakeholders Meeting at City Hall that was hosted by Deputy City Manager Angel Rios.

It was at this meeting that a veteran kitten volunteer had reiterated her questions regarding the shelter's panleukopenia protocols, given that there was a massive outbreak of this largely fatal disease that kills kittens (and cats < 1 year old) that had begun during the previous month at SJACS in May of 2023.

The kitten volunteer had (previously) emailed an SJACS shelter manager and inquired about the protocols as she was concerned about not wanting to volunteer at the shelter and bring such an infectious disease back to her home where she was fostering kittens for a rescue group (Mini Cat Town).

As has been typical of the SJACS management team, the kitten volunteer's email inquiry went ignored for 3 weeks. It was here at this Cat Subgroup Meeting on June 26th, 2023 that the volunteer once again reiterated her question concerning panleukopenia protocols to the SJACS management team that was in attendance that included the ACS Director, his #2 Director, and a shelter manager.

**At this meeting, Deputy Director Jay Terrado responded to the kitten volunteer's inquiry by declaring that "the shelter's panleukopenia protocols are 20 years old and time is needed to update them."**

More than a dozen attendees witnessed this claim.

Including Janice Frazier, Dawn Piazza, Dinah Hayse, Ann Chasson, Ana Spear, Lyne Lamoureux, Jenna Skinner, Jennifer Flick, Liz Holtz, Kim McIntyre, and Sangeetha Lakshminarayanan.

Sadly, the Deputy Director's statement was 100% false - - - given that my board member and colleague at *Kitten's First for the San Jose Animal Care Center* (501c3) and former SJACS veterinarian Dr. Tiva Hoshizaki (2017 - 2021) had created those protocols and last updated and uploaded them to the T-drive on February 26th, 2021. (see attached)

This update of panleukopenia protocols and their upload to the T-Drive of the shelter was also confirmed by former SJACS shelter manager Lorance Gomez. (see attached)

Dr. Hoshizaki is not only a Cornell Medical School graduate, but also a neonate specialist and *Maddie's Fund* Shelter Medicine Intern and an adjunct clinical assistant professor at the University of Florida Health Science Center.

The following day, I emailed Mr. Terrado and copied Matt Loesch, Angel Rios, Kiska Icard, Mallory Kinsman, and Tara Davis sharing how ***Mr. Terrado's claim about the panleuk protocols being 20 years old*** was confusing to me and other stakeholders. Sadly, I failed to receive a single reply back regarding my concern that I had shared with the aforementioned parties. (see attached)

I had also made Mr. Terrado, Matt Loesch, Angel Rios, and other members of the SJACS management team aware of former shelter manager Lorance Gomez also confirming how these highly critical protocols had last been updated on 02/26/2021 and that this version was saved on the T-drive of the shelter. (see attached)

Coincidentally, on this same day SJACS Medical Director Dr. Elizabeth Kather published her panleukopenia protocols on June 27th, 2023 which were eerily similar to those last updated by Dr. Tiva Hoshizaki.
(see attached)

Apparently, Deputy Director Terrado was totally unaware of this impending release given that he failed to mention anything about this just one day before at our Cat Subgroup Stakeholder's Meeting that Mr. Rios hosted at City Hall.

Given the fact that Dr. Kather's protocols largely mimicked that of Dr. Hoshizaki's from February 26, 2021, it's rather puzzling how Deputy Director Terrado would be so terribly misinformed and promote such a false claim to shelter partners and the stakeholder community. In this matter, I find his performance and duty as ACS Deputy Director to be terribly questionable.

As Deputy Director of SJACS, this certainly begs the question of just how "engaged" Mr. Terrado was while performing his management duties during a major outbreak of a largely fatal infectious disease at the shelter that he oversees . . . that led to an unprecedented 493 cats dying in their kennels during FY2023-2024 and a total of 538 cats in CY2023.

Tragically, a recently released City Audit of the shelter's operations during this largely fatal infectious disease outbreak found that the Deputy Director and his Medical Director didn't even begin to isolate

cats with panleukopenia in separate (quarantine) rooms until nearly a full year later in June 2024. (see attached)

We've all been through Covid. Can anyone imagine a hospital taking nearly a full year before placing infected patients in quarantine and isolating them from their "healthy" patients?

But that's exactly what the San Jose Animal Care Center did under the leadership of Deputy Director Terrado and Medical Director Kather.

Furthermore, according to volunteers . . . SJACS staff were found to not be wearing personal protective equipment during this infectious disease outbreak that went on for six months. This resulted in the potential for massive cross-contamination within the animal shelter that wound up infecting other healthy cats in the custody of the shelter. Even when warning signs were posted regarding the wearing of PPE, staff were found to be frequently ignoring posted PPE warnings and highly inconsistent when applying the use of PPE.

According to Dr. Chad Alves a part-time SJACS veterinarian at the time, the panleukopenia virus was even found in the surgical suite. Again, in my opinion it's extremely puzzling why the City and its City Manager has failed to question the engagement, oversight, competence, and leadership of Deputy Director Terrado and Medical Director Kather during this time.

FACT:

Deputy Director Terrado's declaration that *"the shelter's panleukopenia protocols were 20 years old and time is needed to update them"* was 100% false and completely out of touch with infectious disease protocols that were *already current* shelter policy.

I believe that this is just one of several "issues" that the Deputy Director has been deficient in, including when it comes to knowingly calculating the average length of stay for animals at SJACS in a manner in which the length of stay (may) reset back to zero (according to the Deputy Director) - - - once an animal comes back out of foster and into the Shelter. Such a "calculation" clearly renders this most important metric for an animal shelter to be totally erroneous. This issue was brought to the attention of the NSE Committee Meeting in December of 2023 via my public comment submission for the record, but City Council failed to address it.
(see attached)

One can certainly question how the City can even begin to calculate a *daily cost of care* for animals in the shelter's custody when the length of stay metric is allowed to be calculated in such an erroneous manner.

I am curious as to when the City Manager will begin an employment search for a new Deputy Director who has the proper skill set and documented track record of being "engaged" and operating a high-volume shelter in a passionate and competent manner.

I am also curious to learn when the City Manager will begin an employment search for a new Medical Director who doesn't wait for nearly a year to go by before infected cats with panleukopenia are quarantined and is in compliance with DEA laws and protocols when it comes to the management of *controlled substances,* given that this Audit found that compliance with such laws was lacking in several areas.
(see page #53 of the audit).

Quite frankly, I am truly puzzled why this ACS Deputy Director and his Medical Director have been allowed to remain in their positions for as long as they have by the City Manager, given that the audit has repeatedly found that the shelter has not even been in compliance with basic Association of Shelter Veterinarian Guidelines and it has been well known in the community that numerous complaints have been made to the State Veterinary Medical Board concerning the medical practices of this animal shelter.

An unprecedented 538 cats died in the "care" of the City's animal shelter during CY 2023. Another 317 have perished in their kennels thus far in 2024 as of 12/2.

Cats rescued by rescue partners as a percentage of cat intake in 2023 collapsed to only 6.85% Through the first ten months of this year, this number is still only at 8.45% of cat intake.*

The correlation here is clear.

The lack of reaching out to rescue partners has resulted in the "warehousing" of animals and the shelter operating past its capacity.

Tragically, SJACS doesn't seem to have the proper leadership team in place to execute even the most obvious of tasks with the community of shelter partners that supports it. Sadly, many of these partners have been driven away by the sheer neglect and incompetence that they have experienced from shelter leadership.

Despite a pledge made at the December 2023 NSE Committee Meeting by ACS Deputy Director Terrado to "re-engage" rescue partners in 2024, the data above shows that the shelter has yet again failed to do so.

It is clear that this Audit has found the skill sets of these two Directors at SJACS to be highly questionable when it comes to complying and executing the most basic of ASV Guidelines for the animals in its custody.

Moreover, this Audit ultimately brings into question just how engaged the City Council and its City Manager has been during this period in which the shelter has been operating so poorly.

The City of San Jose, the Community and the Animal population that it serves deserves much better from a shelter that commands an operating budget of $15.4 million a year from taxpayers.

Sincerely,

Michael Wagner

Former board member, *Kitten's First for the San Jose Animal Care Center*
*(2019 - 2021)*

*Data pulled from public information requests of the Monthly ASPCA Outcomes Report from SJACS.

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and Drug Enforcement Agency laws regarding purchasing, dispensing, and recordkeeping of controlled substances.

The policy requires staff to track controlled substance usage via a controlled drug disposition log. The policy also requires staff to track incoming controlled substances through a controlled drug incoming log. Per staff, access to controlled substances is available only to certain staff through means such as a keypad code. There are several access layers depending on the storage location of the controlled substance and the staff member.

Examples where staff practices did not align to the policy, or the policy did not address current practices include:

- Staff did not always consistently complete applicable fields in the controlled drug incoming log (e.g., missing signature entry, entries with missing quantity on hand).
- The policy does not specifically make reference to usage of the keypad codes for access, though this is part of the current process.
- The policy does not mention that only staff with the appropriate credentials should handle controlled substances. Similarly, it does not accurately specify which staff members should have access to certain controlled substance storage locations (e.g., per staff, certain storage locations are only for medical staff).
- The policy references a verification process to ensure that controlled substances are inventoried at the beginning and end of each euthanasia shift. However, it was not clear if this was a current practice.
- The policy does not address purchasing requirements though that is part of the policy's purpose.

ACS should update the *Controlled Substances* Policy to reflect the current practices. The updates should be in accordance with state and other applicable laws. Staff should also be trained on the policy expectations.

**Recommendation:**

**18: To ensure better inventory and recordkeeping management, San José Animal Care and Services should:**

**a. Develop procedures and train staff around tracking inventory for shelter operations, and**

**b. Update the Controlled Substances Policy to align with current practice and in accordance with state and other applicable laws, clarify staff access levels, and train staff on the policy.**

We reviewed a sample of cats that died at the shelter during FY 2023-24 from one of these infectious diseases to determine whether they were isolated prior to dying. We found that many had not been isolated in a specific room.

Although ACS staff reported panleukopenia and parvovirus as common diseases for a shelter outbreak, ACS only recently began isolating cats with panleukopenia[11] in a separate room in June 2024.[12] Even then, the isolation room is intended to house rabbits or exotic animals. Similarly, dogs with

**ASV Guidelines**

*Shelters must be able to isolate infectious animals from the general population to prevent disease from spreading.*

[11] Panleukopenia is a contagious and potentially fatal disease for cats. Symptoms include diarrhea, vomiting, lethargy, loss of appetite, and dehydration. Panleukopenia can spread to other cats through a cat's feces, body fluids, and contaminated items.

[12] Staff report that in previous years, rooms with panleukopenia-positive cats were shut down for quarantine. However, sick cats remained in the same room as healthy cats. Because the sick cats were not isolated in a separate room, this created a risk of continuously exposing healthy cats with panleukopenia.

**From:** Terrado, Jay <jay.terrado@sanjoseca.gov>
**To:** M Wagner [redacted]
**Sent:** Friday, September 22, 2023 at 01:44:08 PM PDT
**Subject:** Re: Average Length of Stay Metric #3

Mike,

It may reset the length of stay for the animal. We have not studied this information and I am not able to answer your question with a yes or no.

Jay Terrado
Deputy Director
Public Works Department
City of San Jose Animal Care and Services
2750 Monterey Road
San Jose, CA 95111
(408)794-7223 Phone
(408)229-2262 Fax

---

**From:** M Wagner [redacted]
**Sent:** Friday, September 22, 2023 11:17 AM
**To:** Terrado, Jay <Jay.Terrado@sanjoseca.gov>
**Subject:** Re: Average Length of Stay Metric #3

Jay,

It's a "yes" or "no" question.

Your reply did not answer it.

Question: Does their length of stay go back to "Day 1" when they are re-impounded?

Thank You for your time.

Mike

On Friday, September 22, 2023 at 10:48:38 AM PDT, Terrado, Jay <jay.terrado@sanjoseca.gov> wrote:

Mike,

The foster animals are re-impounded into the system to ensure that we know the animal is in the shelter.

Jay Terrado
Deputy Director
Public Works Department
City of San Jose Animal Care and Services
2750 Monterey Road
San Jose, CA 95111
(408)794-7223 Phone
(408)229-2262 Fax

---

**From:** M Wagner [redacted]
**Sent:** Friday, September 22, 2023 10:03 AM
**To:** Terrado, Jay <Jay.Terrado@sanjoseca.gov>
**Subject:** Re: Average Length of Stay Metric

Jay,

I have a phone meeting later today with Matt to go over the "average length of stay" metric.
I need to ask you a question about the "intake" date before I speak with Matt.

It appears that cats (and dogs) that have been in Foster, have their intake date "reset" again when they come back into the Shelter.

Is this true?

Thanks!

Mike

**From:** M Wagner [redacted]

**To:** Jay Terrado <jay.terrado@sanjoseca.gov>

**Cc:** Kiska Icard <kiska.icard@sanjoseca.gov>; Tara Davis <tara.davis@sanjoseca.gov>; Mallory Kinsman <mallory.kinsman@sanjoseca.gov>; Matthew Loesch <matt.loesch@sanjoseca.gov>; Angel Rios <angel.rios@sanjoseca.gov>

**Sent:** Tuesday, June 27, 2023 at 09:10:14 AM PDT

**Subject:** Re: Panluek Protocol

Hi Jay,I would just like to add that I recall when shelter manager Lorance Gomez was at SJACS, the panleuk protocol was updated with collaboration from Shelter Vets (Tyson and Osterman), Dr. Tiva, and coordinator Monique Rodriguez.  The last version was updated on 02/26/2021.  I believe this version was saved on the T drive.

Additionally, all other protocols written by Dr. Tiva were also in collaboration with the shelter staff, Dr. Tyson and Dr. Ostermann.

As a result, I am somewhat confused as to why there was discussion yesterday at the Cat Meeting about having to "update" a panleuk policy from 20 years ago; let alone how it primarily revolved around euthanasia of those testing positive for panleuk.

Just two years ago, I recall that panleuk kittens were being pulled by rescues (such as IBOK) and/or being placed in the care of Dr. Shira Rubin.

Regards,

Mike Wagner

----- Forwarded Message -----
**From:** Gomez, Lorance <lorance.gomez@cep.sccgov.org>
**To:** M Wagner <[redacted]>
**Sent:** Tuesday, June 27, 2023 at 08:30:19 AM PDT
**Subject:** Re: [EXTERNAL] Re: Tuesday

Hi Mike,

Sorry to hear the meeting wasn't more productive. When I was at San Jose we updated the Panleuk protocol with collaboration from the shelter vets, Tiva, and Monique. The last version was updated on 02/26/2021. From what I remember it was saved on the T drive.

Additionally, all other protocols written by Tiva were also in collaboration with shelter staff, Dr. Tyson and Dr. Ostermann.

Hopefully, this helps. I can reach out to Jay and remind them that all this information exists. No need to spend time "updating" work that already has been done.

Sincerely,
Lorance

# Panleukopenia Response Plan

**What is It?**

Panleukopenia is a highly contagious feline disease that is caused by a type of parvovirus (Feline Panleukopenia Virus or FPV). It is primarily transmitted from feline to feline though fecal-oral route (ingesting fecal material of an infected feline) including any microscopic fecal material that may be present on bedding, cage doors, door handles, food dishes, or any surface, etc. due to cross-contamination, which is the transfer of bacteria, virus, and germs from one location to another. Symptoms of Panleukopenia include vomiting, diarrhea, lethargy, dehydration and sudden death. FPV can persist in an environment for months and years.

**Our Role:**

SJACS is committed to protecting felines in our care from this deadly virus, through strict vaccination protocol, proper cleaning and disinfection, population management, cross-contamination prevention, immediate removal of infected felines from the facility and quarantine of exposed animals.

**Reporting Ill Felines at Intake:**

All incoming orphaned kittens are first evaluated by Animal Care Staff. Staff will refer to kitten intake flow charts. Adult felines with medical problems shall be taken by shelter clinic upon impound. If critical and no Veterinarian on staff adult feline shall be sent to MedVet Emergency Clinic.

**Reporting Ill Felines Currently Kenneled:**

All felines currently in shelter care who show any signs or symptoms of disease are immediately reported by writing the animal's information on the medical board. Any feline that appears to be in critical condition is reported directly to an on-site veterinarian. If no veterinarian is on site, then should be transported to MedVet Emergency Clinic (if 2 pounds or over) or euthanized immediately (if under 2 pounds and orphaned).

**Reporting Deceased Felines:**

When a feline currently in shelter care is found deceased in its kennel, it stays in the enclosure and its information is written on the medical board, when a Veterinarian is on site. When a veterinarian is not on site, the death is reported verbally to a medical staff for testing purposes. When no medical staff are present, the deceased animal is removed from its kennel and placed in the HTL bin, along with identifying kennel card. Staff members handling deceased animal shall wear PPE and handle as if animal could be contagious. Once placed in cooler the cat's information is written on the medical board, stating that the animal is deceased and in the HTL bin.

The animal is outcomed from the shelter management software system by the staff member who reported the death. Outcome Type = DIED. Below is a list of subtypes to use for the designated scenarios for animals that are found dead and are currently in shelter care. Typical scenarios for animals found dead in care are IN KENNEL and STILL BORN:

- AT VET – transported to a vet clinic and dies while at the vet clinic
- ENROUTE – dies after entering care but prior to kenneling or during transport
- IN FOSTER - dies in foster care
- IN KENNEL – found deceased in cage
- IN SURGERY – died during surgery or during surgery recovery
- PANLU – deceased animal tested positive for FPV (updated by medical staff)
- STILLBORN – deceased neonates found dead in kennel prior to impound

**Testing Felines:**

Felines are tested for FPV when a living or deceased cat is suspected by the veterinarian of being infected with FPV. All staff involved in the handling of live or deceased felines to be tested and/or that test positive for FPV must follow PPE guidelines as posted on quarantined rooms.

**Notifications:**

When felines test positive for FPV, the veterinarian either contacts the foster supervisor for placement (for kittens that are eating a bit, are BCS >3/9, and are BAR-Q) or authorizes the animal for euthanasia and immediately notifies the animal care supervisor on duty of the positive result and euthanasia authorization. If foster placement is available, the animal care supervisor places a "panleukopenia" sign on the kennel. If authorized for euthanasia, the animal care supervisor ensures the FPV positive cat is immediately removed from the population and placed in the euthanasia room. Deceased cats are placed in the cooler disposal barrels by medical staff. FPV+ remains are not held for owner redemption.

The animal care supervisor verifies that any interested party has been notified of the cat's FPV+ status and requires immediate removal from the facility. Great care must be given in communicating with the interested party regarding the seriousness of the animal's condition as well as the shelter does not expect the client to take the animal. The cat may be held for immediate pick up within 4 hours or by COB and may not stay in the shelter if someone is not available to immediately pick up the animal. Cats that meet foster criteria may be sent to foster for treatment. If a message is left, it should tell the client that the shelter has significant information regarding the status of an animal brought to the shelter. All contacts are noted in the software system including timelines given to interested parties for pick up.

**Signage and Set Up:**

When medical staff determine that an animal has been exposed to FPV, medical staff place PANLEUKOPENIA EXPOSURE sign on the cage of the exposed animal(s) or a PANLEUKOPENIA CLEANING sign on an empty cage. The animal care supervisor ensures:

- ✓ INFECTIOUS DISEASE CLEANING sign is placed on the kennel of the FPV+ and/or exposed animal's cage
- ✓ Room access sign is switched to AUTHORIZED PERSONNEL ONLY
- ✓ Room status sign is switched to QUARANTINE PANLEUKOPENIA

Once quarantine is over, the ACA who cleaned the room returns the signs from QUARANTINE to ROUTINE HOUSING and from AUTHORIZED PERSONNEL ONLY to COME IN.

**Quarantine:**

Exposed felines are quarantined for 14 days and isolated from felines considered to be healthy or unexposed. Quarantine rooms may house multiple "exposed" litters that are isolated from one another.

Kittens under 4 months of age and unvaccinated cats over 4 months of age housed in a kennel with a cat that tests positive for panleukopenia are considered exposed and will be quarantined in a panleukopenia quarantine room separately from potentially exposed cats. After moving to the quarantine room, the original room will be cleaned as described below (Cleaning Room after quarantine) and the cats will no longer be considered potentially exposed.

Quarantine rooms are a priority to clean and must be well maintained in order to reduce any viral load in the room. Puppy pads, otherwise unusable laundry (such as pillow cases, laundry with holes that can be cut up for single use, etc.) or towels, if no other option is available, are used as bedding. Soiled bedding is discarded during cleaning, it is not laundered. These rooms are cleaned and animals in them fed by assigned ACAs who are not assigned to clean in other rooms and who leave the premises after cleaning quarantined rooms.

Only healthy animals identified as well-vaccinated may be moved out of the room under the direction of the veterinarian. Animals leaving the quarantine room are placed into new cardboard carriers and carriers loaded onto a cart covered in newspaper. Feral dens are left in the cage to be cleaned twice with Accel in the room.

Kennel cards for animals moved out of quarantine rooms are removed from "Panleukopenia Quarantine" binder by staff that is assigned to moving the animal to another location.

**PPE:**

Booties, gloves and gowns are required in all rooms designated as AUTHORIZED PERSONNEL ONLY when cages are opened (during cleaning, feeding and animal handling). Only booties are required when cages will not be opened. Gloves must be worn and changed between touching any separate cage group of animals and touching anything new in the room, including the door handle. Hand sanitizers are not approved because they do not kill FPV and are an ineffective means of preventing cross contamination of FPV.

Gloves changed in the rooms are disposed of in garbage cans in the room. Booties, current gloves being worn upon exit, and gowns are disposed of in the garbage can stationed outside the quarantined room.

**Cleaning Room after Quarantine:**

When quarantine is lifted, disposable items housed in the room are thrown away (boxes of gloves, newspaper, cardboard litter boxes, pen holder). The entire room and associated items (walls, water bowls, floors, cages, cabinets, doors, garbage can stationed outside of door, watering can, litter container attached to wall) and all surfaces in the room are cleaned with Accel in the room, rinsed, allowed to dry then cleaned with Accel and rinsed again. The contact time for Accel is 10 minutes per application, prior to rinsing. Once the room is cleaned, the ACA who cleaned the room switches the sign from QUARANTINE to ROUTINE HOUSING and from AUTHORIZED PERSONNEL ONLY to COME IN.

# AUTHORIZED PERSONNEL ONLY




- ✓ OK - ANIMAL CARE STAFF
- ✓ OK - MEDICAL STAFF

- ⊘ NO - LOST PET TOURS – SEE BINDER
- ⊘ NO - RESCUE PARTNERS
- ⊘ NO - VOLUNTEERS
- ⊘ NO - ADMIN STAFF
- ⊘ NO - FIELD SERVICES STAFF

REV022621

# -QUARANTINE -

## NO NEW IMPOUNDS

PANLEUKOPENIA

**REQUIRED PPE:**



Booties – Upon entry



Gloves – Upon entry, change b/w cages



Gown – Opening cages

REV022621




- ✓ OK – ANIMAL CARE STAFF
- ✓ OK – MEDICAL STAFF
- ✓ OK – LOST PET TOURS
- ✓ OK – RESCUE PARTNERS
- ✓ OK – AUTHORIZED VOLUNTEERS
- ✓ OK – ADMIN STAFF
- ✓ OK – FIELD SERVICES STAFF

# ROUTINE HOUSING

## REQUIRED PPE:



Gloves – Upon entry, change b/w cages

REV022621

# Panleukopenia Response Plan

**What is It?**

Panleukopenia is a highly contagious feline disease that is caused by a type of parvovirus (Feline Panleukopenia Virus or FPV). It is primarily transmitted from feline to feline though fecal-oral route (ingesting fecal material of an infected feline) including any microscopic fecal material that may be present on bedding, cage doors, door handles, food dishes, or any surface, etc. due to cross-contamination, which is the transfer of bacteria, virus, and germs from one location to another. Symptoms of Panleukopenia include vomiting, diarrhea, lethargy, dehydration and sudden death. FPV can persist in an environment for months and years.

**Our Role:**

SJACS is committed to protecting felines in our care from this deadly virus, through strict vaccination protocol, proper cleaning and disinfection, population management, cross-contamination prevention, immediate removal of infected felines from the facility and quarantine of exposed animals.

**Reporting Ill Felines at Intake:**

All incoming orphaned kittens are first evaluated by Animal Care Staff, and then examined by an AHT and administered age-appropriate deworming, flea prevention and vaccination. Adult felines with medical problems will also be evaluated by an AHT and administered intake vaccination and flea preventative. Any medical issues shall be triaged and if non urgent the animal will be placed on Vet Check with a medical memo. If considered an emergency the cat will be taken to the shelter clinic after impounded. If critical and no Veterinarian on staff adult feline shall be sent to MedVet Emergency Clinic.

**Reporting Ill Felines Currently Kenneled:**

All felines currently in shelter care who show any signs or symptoms of disease are immediately placed on Vet Check with a medical memo. Any feline that appears to be in critical condition is reported directly to an on-site veterinarian. If no veterinarian is on site, then the cat should be transported to MedVet Emergency Clinic.

**Reporting Deceased Felines:**

When a feline currently in shelter care is found deceased in its kennel, it stays in the enclosure and a veterinarian or AHT is notified. When a veterinarian is not on site, the death is reported verbally to a medical staff for testing purposes.

The animal is outcomed after an AHT or Veterinarian has been informed.

**Testing Felines:**
Felines are tested for FPV when a living or deceased cat is suspected by the veterinarian of being infected with FPV. All staff involved in the handling of live or deceased felines to be tested and/or that test positive for FPV must follow PPE guidelines as posted on quarantined rooms.

**Notifications:**
When felines test positive for FPV, the Medical Director and Shelter Supervisors are notified immediately.

**Signage and Set Up:**
When medical staff determine that an animal has been exposed to FPV, medical staff place PANLEUKOPENIA EXPOSURE sign on the cage of the exposed animal(s) or a PANLEUKOPENIA CLEANING sign on an empty cage. The animal care supervisor ensures:

- ✓ INFECTIOUS DISEASE CLEANING sign is placed on the kennel of the FPV+ and/or exposed animal's cage
- ✓ Room access sign is switched to AUTHORIZED PERSONNEL ONLY
- ✓ Room status sign is switched to QUARANTINE PANLEUKOPENIA

Once quarantine is over, the ACA who cleaned the room returns the signs from QUARANTINE to ROUTINE HOUSING and from AUTHORIZED PERSONNEL ONLY to COME IN.

**Quarantine:**
Exposed felines are quarantined for 10-14 days and isolated from felines considered to be healthy or unexposed. Quarantine rooms may house multiple "exposed" litters that are isolated from one another.

Kittens under 4 months of age and unvaccinated cats over 4 months of age housed in a kennel with a cat that tests positive for panleukopenia are considered exposed and will be quarantined in a panleukopenia quarantine room separately from potentially exposed cats. After moving to the quarantine room, the original room will be cleaned as described below (Cleaning Room after quarantine) and the cats will no longer be considered potentially exposed.

Quarantine rooms are a priority to clean and must be well maintained in order to reduce any viral load in the room. Puppy pads, otherwise unusable laundry (such as pillow cases, laundry with holes that can be cut up for single use, etc.) or towels, if no other option is available, are used as bedding. Soiled bedding is discarded during cleaning, it is not laundered. These rooms are cleaned and animals in them fed by assigned ACAs who are not assigned to clean in other

rooms with kittens and who properly disinfect and change clothing (if needed) after cleaning quarantined rooms. All rooms are to be thoroughly disinfected with Rescue (in pressurized pump sprayers) which are kept in each cat/kitten holding room.

Only healthy animals identified as well-vaccinated may be moved out of the room under the direction of a veterinarian. Animals leaving the quarantine room are placed into new cardboard carriers and carriers loaded onto a cart covered in newspaper. Feral dens are left in the cage to be disinfected with Rescue in the room.

**PPE:**

Booties, gloves and gowns are required in all rooms designated as AUTHORIZED PERSONNEL ONLY when cages are opened (during cleaning, feeding and animal handling). Only booties are required when cages will not be opened. Gloves must be worn and changed between touching any separate cage group of animals and touching anything new in the room, including the door handle.

Gloves changed in the rooms are disposed of in garbage cans in the room. Booties, current gloves being worn upon exit, and gowns are disposed of in the garbage can stationed outside the quarantined room.

**Cleaning Room after Quarantine:**

When quarantine is lifted, disposable items housed in the room are thrown away (boxes of gloves, newspaper, cardboard litter boxes, pen holder). The entire room and associated items (walls, water bowls, floors, cages, cabinets, doors, garbage can stationed outside of door, watering can, litter container attached to wall) and all surfaces in the room are cleaned with Rescue in the room, rinsed, allowed to dry then cleaned with Rescue and rinsed again. The contact time for Rescue is 10 minutes per application, prior to rinsing. Once the room is cleaned, the ACA who cleaned the room switches the sign from QUARANTINE to ROUTINE HOUSING and from AUTHORIZED PERSONNEL ONLY to COME IN.

# AUTHORIZED PERSONNEL ONLY




- ✓ OK - ANIMAL CARE STAFF
- ✓ OK - MEDICAL STAFF

- ⊘ NO - LOST PET TOURS – SEE BINDER
- ⊘ NO - RESCUE PARTNERS
- ⊘ NO - VOLUNTEERS
- ⊘ NO - ADMIN STAFF
- ⊘ NO - FIELD SERVICES STAFF

# -QUARANTINE -

## NO NEW IMPOUNDS

PANLEUKOPENIA

**REQUIRED PPE:**



Booties – Upon entry



Gloves – Upon entry, change b/w cages



Gown – Opening cages




- ✓ OK – ANIMAL CARE STAFF
- ✓ OK – MEDICAL STAFF
- ✓ OK – LOST PET TOURS
- ✓ OK – RESCUE PARTNERS
- ✓ OK – AUTHORIZED VOLUNTEERS
- ✓ OK – ADMIN STAFF
- ✓ OK – FIELD SERVICES STAFF

# ROUTINE HOUSING



## REQUIRED PPE:



Gloves – Upon entry, change b/w cages

# QUARANTINE



# PANLEUKOPENIA QUARANTINE

**SUBMITTING FOR THE CITY OF SAN JOSE PUBLIC RECORD**

ATTN: Miss Dev Davis, Chairwoman, Neighborhood Services & Education Committee

TOPIC: SJACC - Average Length of Stay and Intake Date Resetting

DATE: 12/14/2023

Dear Chairwoman Davis,

The average length of stay metric is undoubtedly the single most important metric that Animal Shelters like SJACC use to measure their performance. It is a rather obvious metric given that the longer the length of stay is for an animal in shelter care, the more likely it is susceptible to disease and behavioral issues from the shelter environment, not to mention draws down vital staff labor resources from medical to kennel care at the shelter.

The FY 2022 - 2023 SJACS Annual Report shows an average length of stay for Cats at 15 days. However, I would be suspicious of this number for the following two reasons:

1.) This number is obviously skewed by the massive intake of kittens during Kitten Season. As a result, I would claim that it doesn't give a very accurate "picture" of what is going on at the shelter. With the influx of kittens into the shelter that get readily adopted out, this metric just doesnt offer much in the way of value. I have suggested to Deputy Director Terrado that he filter out neonates (kittens) of 8 weeks of age or less, in an effort to increase the value of this metric. Sadly, my requests have largely gone ignored.

2.) Volunteers at SJACC have observed that the intake date has changed (or changes) when an Animal comes out of *Foster* and back into the shelter.

Believe it or not, the intake date appears to reset to Day #1 in the length of stay of the animal when it comes out of *Foster.* Clearly, such a "reset" would skew this metric even further and make it absolutely worthless. I raised my concerns about this potential issue with Deputy Director Terrado in an email dated September 22nd, 2023 and he responded by claiming that the foster animals are *"re-impounded into the system to ensure that we know the animal is in the shelter."* (see attached)

I must say, that I find the Deputy Director's reply to be quite problematic. The fact of the matter is that there really is no *re-impounding* given that the foster animal has always maintained the exact same ID number that it received at intake. This ID number never changes. The animal is tracked and monitored while in foster care, and even receives health checks from shelter medical staff while in foster care. When asked to comment further about my (intake date reset) findings, Mr. Terrado replied:

*"It may reset the length of stay for the animal. We have not studied this information and I am not able to answer your question with a yes or no."*

In other words, a German Shepherd that has spent three months in the shelter, passes behavior, and goes out to foster care for one month, would have a length of stay of 124 days. But as soon as it comes out of foster and back into the shelter, that length of stay "resets" to Day #1.

Interestingly enough, there is not one single footnote or declaration/disclosure in the FY 2022 - 2023 SJACS Annual Report that alludes to the possibility that the intake date may "reset" when calculating the average length of stay metric. Not just change. But actually "reset" to Day #1.

Chairwoman Davis, I must say that I find this metric to be most problematic and yet another example of data being presented by SJACS and Deputy Director Terrado that is potentially highly erroneous.

Perhaps even worse, is the fact that the Deputy Director is "aware" of the possibility that the calculation of this most important metric "resets", but just hasn't bothered to study it.  And yet, the public is totally unaware of this metric changing in a significant manner and is being potentially misled when reading this SJACS Annual Report from the City of San Jose.

Sincerely,

Michael Wagner
Former board member and interim President
*Kitten's First for the San Jose Animal Care Center, 2019 - 2022*

**From:** Terrado, Jay <jay.terrado@sanjoseca.gov>
**To:** M Wagner [redacted]
**Sent:** Friday, September 22, 2023 at 10:48:38 AM PDT
**Subject:** Re: Average Length of Stay Metric

Mike,

The foster animals are re-impounded into the system to ensure that we know the animal is in the shelter.

Jay Terrado
Deputy Director
Public Works Department
City of San Jose Animal Care and Services
2750 Monterey Road
San Jose, CA 95111
(408)794-7223 Phone
(408)229-2262 Fax

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**From:** M Wagner [redacted]
**Sent:** Friday, September 22, 2023 10:03 AM
**To:** Terrado, Jay <Jay.Terrado@sanjoseca.gov>
**Subject:** Re: Average Length of Stay Metric

Jay,

I have a phone meeting later today with Matt to go over the "average length of stay" metric.
I need to ask you a question about the "intake" date before I speak with Matt.

It appears that cats (and dogs) that have been in Foster, have their intake date "reset" again when they come back into the Shelter.

Is this true?

Thanks!

Mike

Outlook

# FW: City Council Meeting - Agenda Item 3.3 (SJACS)

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:49 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

7 attachments (1 MB)

Communication_Maryanne Groen_012324_Cameron Moore.pdf; NSE-Maddie's Fund Audit Recommendations_03142024.pdf; Cameron Moore 1.16.2024.pdf; Communication_Maryanne Groen_012324_Cameron Moore.pdf; Cameron Moore response_SJACS-Angel Rios_11252024.pdf; Maddies-PetStore.PNG; SJACS-Matt_Maddies.PNG;

**From:** M Wagner <[redacted]
**Sent:** Tuesday, December 3, 2024 6:52 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; Rios, Angel <Angel.Rios@sanjoseca.gov>; Loesch, Matthew <Matt.Loesch@sanjoseca.gov>
**Subject:** Re: City Council Meeting - Agenda Item 3.3 (SJACS)

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Submitting for the City of San Jose Public Record

AGENDA ITEM: 3.3

TOPIC: **False Narratives, City Administrators, and the Maddie's Fund Audit of July 2022**

**"Pivoting Away from Rescue"**

DATE: 12/2/2024

Dear City Council,

For your review, the following is an email (with some edits to add context) to Deputy City Manager Rios, dated Nov. 26th, 2024 regarding the false narrative that City Staff have repeatedly promoted concerning the Maddie's Fund Audit of July 2022.

Maddie's Fund is the premier shelter management organization in the United States. It is a wealth of knowledge and resources when it comes to shelter policies, protocols, and animal population management.

The "fund" is named after the miniature Schnauzer that was the beloved pet dog of Dave and Cheryl Duffield that died of cancer in 1997. Duffield founded Walnut Creek based Peoplesoft in 1987 and has accumulated a vast amount of wealth as he has continued to innovate in the business software world with the likes of Workday and Ridgeline. He and his wife have been funding the educational shelter management efforts of the highly regarded animal welfare professionals at *Maddie's Fund* for 30 years.

*Maddie's Fund*



**Maddie's Fund**

Sadly, the City and its top Administrators continue to push a false narrative as to why the SJACS management team chose to pivot-away from using rescue partners more than two years ago, and to instead "warehouse" animals in an effort to drive other live outcomes such as adoption. To claim that there may have been a "misinterpretation" of the Maddie's Fund Audit by top City Administrators would be making the understatement of the year.

Strangely enough, (to this day) the City's Public Works Director and Deputy City Manager have never sought to pick up the phone and "clarify" what Maddie's Fund Shelter consultant Cameron Moore had stated in her 44-page Audit of SJACS published in August of 2022 - - - even when they became aware that her audit ***never recommended*** that the shelter should pivot-away from rescue and ***never found the shelter to be "over-reliant on rescue partners and out of balance with other live outcomes."***

Mr. Rios,

At the Neighborhood Services & Education Committee Meeting of December 14, 2023 your Public Works Director, Matt Loesch said the following about what the *Maddie's Fund* had found:

***"I think the general logic was . . . from Maddie's Group was, you were over-reliant on rescues,*** *not that you shouldn't rely on rescues . . . and in our pivot to look at the . . . so if the population is . . . to get your animals out is over-reliant on rescues which is a finite group and look at your community at writ large which is a million, north of a million people, to have a bigger capacity so you should have a bigger adoption number now than you have, and so then we were trying to pivot to having more adoptions so that the bigger population of San Jose area, that's the logic behind it.* ***So, we're over-reliant on rescues is the logic that was provided to us by from Maddie's . . .*** *so when we say we're looking for more capacity at the adoption level that's the over-pivot. And so we shouldn't have pivoted as hard as we did and if the communication came out from any of our staff that we do not want any rescues to participate with us, that's a false notion, if that came out of us I apologize if that's the case. That's not our intention. They are a critical part of, again . . . I look at it as bridges. Every animal has a bridge out of our shelter and sometimes rescues are so much better for the live outcome of the animal than it would be for an adoption. They have so many more resources. Sometimes they can provide a culture, a culture of care that that critical animal needs, that an adoption is just inappropriate."*

I repeat: This narrative is 100% False.

There is no "finding" by Maddie's Fund that SJACS was "out of balance" with other live outcomes and "over-reliant" on rescue partners. There is no mention of this alleged "finding" anywhere in their 44-page audit.

Mr. Rios, I specifically brought this **False Narrative** to your attention and that of the Chief of Staff of NSE Chairwoman Dev Davis (Mary Anne Groen) via an email of **January 23rd, 2024** (see attached).

However, you neglected to reply back; nor did Miss Groen.

I also followed up with a submission to the NSE Committee for their March 14th, 2024 meeting reiterating how false this narrative was. (see attached). No one on that committee bothered to address this key point.

Strangely enough, nearly an entire year has gone by and not a single city councilmember nor yourself, has ever bothered to address this most material issue that served as the basis for SJACS staff to pivot-away from rescue partners - - - and instead embrace a strategy in which the average length of stay increases in an effort to drive an adoption outcome, which undoubtedly places more demands on shelter resources thus creating bottlenecks, not to mention dramatically increasing the potential for infectious disease outbreaks such as panleukopenia and parvo.

Make no mistake, this pivot away from rescues was the driving factor for a record 493 cats dying in the "care" of the animal shelter in FY 2023-2024 and 538 for CY 2024 as the shelter pivoted-away from using rescue partners in lieu of "warehousing" animals.

The data confirms this with cat rescue as a percentage of cat intake having dropped to only 10.9% in FY2023-2024 and 6.85% for CY 2023 and 8.45% for CY 2024*.

Moreover, the lack of rescue participation has continued into CY 2024 despite Deputy Director Terrado's pledge last December at NSE to "re-engage" with rescues this year. The data shows that this clearly hasn't happened with only 8.45% of cat intake being pulled by rescues. Sadly, SJACS has continued to choose to essentially "warehouse" cats instead of getting them out of the shelter as soon as possible, which is literally the primary ethos of *Maddie's Fund (see attached).*

From Page 36 of the *Maddie's Fund* audit:

*"SJAC's primary responsibility is public and animal safety and not to act as a pet store or adoption agency. SJACS should seek immediate live outcome placement for each animal in the shortest period of time. In addition, with over 15,000 animals entering the shelter on an annual basis there will not be a shortage of animals needing placement."*

While SJACS management has repeatedly claimed that the shelter is over capacity, make no mistake that this is the result of your management team making a fundamental strategic decision, ***choosing*** to drive an adoptions model of outcomes above all others . . . rather than seeking immediate live outcome placement in the shortest period of time, as was recommended by *Maddie's Fund.*

**FACT:** The *Maddie's Fund Audit* makes no mention of SJACS being "out of balance" with other live outcomes.

**FACT:** The *Maddie's Fund Audit* makes no mention of having found SJACS to be "over-reliant" on rescue.

When I shared this false narrative with the lead shelter consultant from *Maddie's Fund* Cameron Moore back in January of this year, Miss Moore replied back on January 16th, 2024 with the following response:

"Many recommendations were made to help the SJACS team remove barriers and increase direct placement of animals which would ultimately decrease the reliance on transfer partners; however, I want to clarify that it was never our intention for SJACS to eliminate this live outcome avenue but instead to grow the program by identifying a transfer placement coordinator on staff who could focus on relationship building and expediting transfers. As you read through the recommendations you will not find any statements advising to reduce partnerships or mentioning the shelter being out of balance

relative to other live outcome opportunities as compared to cities of similar size (it is possible that was someone's interpretation, but certainly is not what we were trying to convey). During our research and onsite visit, our team did find many opportunities for SJACS to improve operations, reduce length of stay, reduce disease outbreaks and reduce costs while simultaneously providing additional resources to the community to keep people and pets together."

(attached)

Earlier this year, I sent Miss Moore's response (separately) to Miss Maguire, Mr. Loesch, as well as the Chief of Staff for NSE Chairwoman Dev Davis. The latter email you were copied on. (see attached) Not a single one of the aforementioned individuals bothered to reply. Not a single one.

In a phone conversation with Mr. Loesch on January 23rd, 2024 in which I was adamant about the *Maddie's Fund Audit* ***not finding*** the shelter to be "out of balance with other live outcomes" and "over-reliant on rescue partners", Mr. Loesch stated that someone at *Maddie's* had told his staff this (verbally). When I followed up via email the next day and asked "who" at the *Maddie's Group* said this, he failed to reply. (see attached)

Mr. Rios, I am quite familiar with Miss Moore at *Maddie's Fund.*

In fact, since January I have been corresponding with her several times a month and have been on the phone with her at least twice a month in an effort to learn how to improve operations and live outcomes at SJACS. Sadly, you and Mr. Loesch have never bothered to speak with her on the phone. This is a fact. Moreover, I believe this is quite telling of City Administrators that just aren't very passionate about turning SJACS around.

In fact, upon learning that a Deputy City Manager in San Jose was once again promoting a ***false narrative*** as to what her audit from August of 2022 said, literally ignoring the entirety of the Audit for a single sentence completely taken out of context, Miss Moore replied back with the following remarks:

*"He misunderstands the intent of that sentence in the report. I wish leadership would have conversations after reading the recommendations to clear up the confusion. The goal is for shelter staff to always to work all live outcome opportunities; however, at the time of the consult, the shelter was putting up so many barriers to adoptions and was relying solely on rescues and transfers and missing out on other easy opportunities.*

*Shelters should diversify their efforts to keep animals out of the shelter (robust safety net and kitten shelter diversion programs) or once they enter the shelter to move them out quickly (return to owner, foster, adoptions, return to field for cats, transfers, etc.)*

*(see attached)*

**FACT:**

Mr. Rios, I attended every single one of your "Stakeholder's Meetings" back in 2023 and this strategic decision by SJACS staff to *pivot-away from rescue partners* ***was never once shared by you, Mr. Terrado or Miss Icard with stakeholders at any of your meetings.***

I also attended everyone one of the "Operations Meetings" hosted by Jay Terrado via Zoom during the second half of 2022; and since the Maddie's Fund Audit of July of 2022. This decision to pivot-away from rescues was ***never ever shared*** *with the "community" by your ACS Deputy Director.*

**Stakeholder's (many of whom are rescue partners)** ***only became aware of this strategic operations decision that impacts live outcomes on December 14th, 2023*** when Matt Loesch explained why SJACS Staff chose to pivot-away from using rescues. This was all "news" to us who were seated in the auditorium at City Hall that day last December.

**Mr. Rios, don't you find it odd that such a key operations decision that impacted shelter partners and the "community" at large, was never shared with Stakeholders until December of 2023, a full 17-months after the *Maddie's Fund Audit* took place?**

I certainly do.

Strangely enough, when I attended one of your Stakeholder's Meetings on September 6th, 2023 I highlighted how most of our suggestions and actionable items that we recommended were nothing more than reiterating many of the recommendations made from the *Maddie's Fund Audit.* And when I asked you in front of a full room of stakeholders if you had ever read the *Audit,* you simply replied, **"I'm not interested in anything that happened before I got involved."**

In fact, just about every single shelter partner that I've spoken to believed that Mr. Loesch's (false) narrative presented on December 14th, 2023 was nothing more than an *after-the-fact excuse* to cover for one of the deadliest years that the San Jose Animal Care Center has ever seen, in which the LRR for cats had (at one point) dropped to as low as 73%.

Mr. Rios, I would strongly suggest that you pick up the phone and speak with Cameron Moore.
In this way, you can improve your knowledge base on how SJACS should be operating.

To be honest, I find it terribly puzzling that since your pledge to "re-engineer" the shelter back in February of 2023 that was made in front of the Mayor and his staff, you have never once reached out to Miss Moore and the preeminent shelter management organization in the country. Again, I find that quite telling.

When it comes to SJACS, the City of San Jose has a massive credibility problem.

The recently released City Audit of the shelter finds gross negligence and incompetence in every facet of shelter operations. And yet, the community that supports the shelter has continued to hear of these *false narratives,* even as recently as last month from top City Administrators such as yourself.

Tragically, the repeated promotion of these false narratives by the City does NOT help increase live outcomes of the animals in your custody nor does it instill any "confidence" in the community and its shelter partners.

Many partners have become so frustrated and exhausted from these erroneous narratives and "excuses" that they have had to navigate their way through that they have "given up" and no longer support the shelter.

For some reason, City Administrators have still not figured this out.
It's terribly puzzling and unprofessional.

In my opinion, this shows that the City is more concerned with defending their incompetence than actually getting to the bottom of what it's going to take to turn the San Jose Animal Care Center around and improve live outcomes for the cats and dogs in its custody.

Staff not implementing the recommendations from the *Maddie's Fund Audit* has been a terrible mistake.

Tragically, had their recommendations largely been implemented, the shelter almost surely would not be in the position that it is today. - - - It's puzzling why this was never done, or why you and the Public Works Director never engaged shelter consultant Cameron Moore in a conference call when you first learned that the City may have "misinterpreted" the Maddie's Fund Audit via my email alerting you of this back on January 23rd, 2024.

Sincerely,

Mike Wagner

Former board member, *Kitten's First for the San Jose Animal Care Center* (2019 - 2021).

* Cat rescue participation data as a percentage of cat intake as of 12/2/24

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**From:** Moore,Cameron <[redacted]
**To:** M Wagner [redacted]
**Sent:** Monday, November 25, 2024 at 07:45:52 AM PST
**Subject:** RE: SJACS - Angel Rios

He misunderstands the intent of that sentence in the report. I wish leadership would have conversations after reading the recommendations to clear up the confusion. The goal is for shelter staff to always work all live outcome opportunities; however, at the time of the consultation, the shelter was putting up so many barriers to adoption and was relying solely on rescues and transfers and missing out on other easy opportunities.

Shelters should diversify their efforts to keep animals out of the shelter (robust safety net and kitten shelter diversion programs) or once they enter the shelter to move them out quickly (return to owner, foster, adoptions, return to field for cats, transfers, etc.)

**Cameron Moore**

[redacted]

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**P:** [redacted]

[redacted]

**W:** Shelter Medicine Program + [redacted]

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College of Veterinary Medicine

[redacted]

[redacted]

[redacted]

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**From:** M Wagner [redacted]
**To:** Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; district6@sanjoseca.gov <district6@sanjoseca.gov>
**Cc:** Angel Rios <angel.rios@sanjoseca.gov>
**Sent:** Tuesday, January 23, 2024 at 07:33:34 AM PST
**Subject:** Re: Cameron Moore - Maddie's Fund

Dear Miss Groen,

I am at a loss as to understand why staff at District 6 shows very little interest (if any) when it comes to the "issues" that have been impacting the San Jose Animal Care Center.

To this day, I still have not heard from your community outreach advisor even though I have made multiple attempts to contact her over the past two months. Quite frankly, I find this surprising given an animal shelter that saw 534 cats die in its "care" last year with over 1,000 that were euthanized and a live release rate of only **72.9%**

If I am wrong about your interest in the issues that concern SJACS, please feel free to reach out to me so that I can invite you to a Zoom Meeting that I will be holding this Thursday with staff from three other city council members - - - accompanied by a colleague of mine that is a *WeCare Alliance Partner.*

Attached for your review is an email that I received on Jan. 16th from ***Cameron Moore***, the shelter consultant that performed the Maddie's Fund Audit on SJACS in July of 2022.

Miss Moore (from the University of Florida where Maddie's is based) was also a colleague of Dr. Tiva Hoshizaki, a professor at UF and a veterinarian at SJACS from 2017 - 2021 who founded *Kitten's First for the San Jose Animal Care Center,* where I was a board member for three years.

In Miss Moore's email, she clearly states that the Maddie's Fund shelter consultancy group never said that SJACS was *over-reliant* on rescue partners or was *out-of-balance* when it came to other live outcomes. This was one of several false narratives presented to Chairwoman Davis and her fellow council members on the NSE Committee on December 14th by Deputy Director Terrado and City Staff.

If you are concerned about how the shelter has been operating, you should be aware of this.

Quite frankly, I am tired of hearing endless "excuses" by City Staff as to why the animal shelter has performed so poorly over the last two years. Had Deputy Director Terrado not pivoted away from using rescue partners to get cats out of the shelter last year, we would not have seen 534 cats "expire" in their kennels in the *"care" of the shelter.*

As you can see from Miss Moore's email (attached below), *Maddie's Fund* never recommended the shelter to pivot away from their use of rescue partners.

Sincerely,

Mike Wagner

**From:** Moore,Cameron [redacted]
**To:** M Wagner <[redacted]
**Sent:** Tuesday, January 16, 2024 at 12:25:47 PM PST
**Subject:** San Jose Animal Care Services Consult Recommendations

Dear Mr. Wagner,

Thank you so much for reaching out regarding the pro bono shelter consultation awarded to SJACS. After our July 2022 visit, many strategies and recommendations were provided in a written report to help streamline the flow of animals in and out of the shelter. I want to emphasize that rescue/transfers partners continue to play a valuable role in moving animals out of the shelter while providing immediate relief to overcrowded shelters. Many recommendations were made to help the SJACS team remove barriers and increase direct placement of animals which would ultimately decrease the reliance on transfer partners; however, I want to clarify that it was never our intention for SJACS to eliminate this live outcome avenue but instead to grow the program by identifying a transfer placement coordinator on staff who could focus on relationship building and expediting transfers. As you read through the recommendations you will not find any statements advising to reduce partnerships or mentioning the shelter being out of balance relative to other live outcome opportunities as compared to cities of similar size (it is possible that was someone's interpretation, but certainly is not what we were trying to convey). During our research and onsite visit, our team did find many opportunities for SJACS to improve operations, reduce length of stay, reduce disease outbreaks and reduce costs while simultaneously providing additional resources to the community to keep people and pets together.

You are welcome to forward this email to any city leadership or council members who may have additional questions or wish to discuss further. Our team is very interested in the success of SJACS and is here to help in any way possible.

Thank you for all you are doing to improve the lives of animals in your community.

**Cameron Moore**

[redacted]

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[redacted]

[redacted]

**W:** Shelter Medicine Program + [redacted].

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College of Veterinary Medicine

[redacted]

[redacted]

[redacted]

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**From:** M Wagner <[redacted]>
**To:** Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; district6@sanjoseca.gov <district6@sanjoseca.gov>
**Cc:** Angel Rios <angel.rios@sanjoseca.gov>
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As you can see from Miss Moore's email (attached below), *Maddie's Fund* never recommended the shelter to pivot away from their use of rescue partners.

Sincerely,

Mike Wagner

**From:** M Wagner [redacted]
**To:** Katerina Tubera <katerina.tubera@sanjoseca.gov>; district6@sanjoseca.gov <district6@sanjoseca.gov>; District5 <district5@sanjoseca.gov>; District7 <district7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District3 <district3@sanjoseca.gov>
**Cc:** City Clerk <city.clerk@sanjoseca.gov>
**Sent:** Thursday, March 14, 2024 at 08:32:54 AM PDT
**Subject:** Re: SJACS - Maddie's Fund Audit Recommendations

**SUBMITTING FOR THE CITY OF SAN JOSE PUBLIC RECORD**

ATTN: Miss Dev Davis, Chairwoman, Neighborhood Services & Education Committee

TOPIC: Maddie's Fund Audit and Cameron Moore, Shelter Consultant

DATE: 3/14/2024

Dear Chairwoman Davis & Councilmembers,

On December 14th, 2023 the SJACS Management Team and City Staff presented their FY 2022 - 2023 Annual Report to the NSE Committee. During this presentation, City Staff essentially laid blame on the decision to use an operations model of warehousing animals and the overall poor performance of SJACS in which an unprecedented 534 cats "died in the care" of the shelter and the live release rate collapsed to 72.9% for calendar year 2023 on the *Maddie's Fund Audit.*

City staff claimed that the *Maddie's Fund Audit* of July 2022 had "recommended" that the shelter pivot away from using Rescues to get animals out of the shelter as soon as possible - - - given that *Maddie's Fund* had *"found the shelter to be over-reliant on rescue partners"* and *"out of balance when it came to live outcomes for a city of 1 million residents."*

**The above *statement* made by City Staff is 100% false.**

In fact, the *statement* is confirmed to be false in a number of ways starting with the 44-page *Maddie's Fund Audit* itself, which doesn't even remotely make such a "finding" or "recommendation"; not to mention the following email dated January 16th, 2024 (see attached) from Miss Cameron Moore, the lead shelter consultant from the University of Florida and *Maddie's Fund* who conducted the audit on SJACS with her team in July 2022 and clearly states that such a "recommendation" to pivot away from Rescues ***was never made.***

Sadly, the *statement above* made by City Staff in Director's positions was terribly misleading to elected city council members, stakeholders, and the public.

In fact, Page #36 of the audit (see attached) essentially says quite the opposite to this false narrative when it comes to utilizing Rescue partners *"to provide immediate live outcome placement for each animal in the shortest period of time."*

Moreover, shelter consultant Cameron Moore can confirm the same.

Miss Moore's email (see attached) was shared with Chairwoman Davis and her staff along with Deputy City Manager Angel Rios previous to this (submission to the NSE Committee) on January 23rd, 2024.

Interestingly enough, I have never received the courtesy of a reply acknowledging my "concerns" regarding the false narrative that was presented to the NSE Committee on December 14th, 2024.

I must admit, I am rather puzzled as to why the NSE Committee does not appear concerned with the false narrative that was presented to them (and misled them) on December 14th, 2023 by the SJACS management team and city staff.

The San Jose Animal Care Center is currently on pace to be a *Kill Shelter* for a third consecutive year.

Animal welfare colleagues of mine and I continue to be concerned over the lack of honesty and transparency when it comes to this management team's operations of the city animal shelter.

To date, stakeholders and the community at large have not been informed of any "updates" or progress reports given the $2.0 million dollar increase in this current fiscal year's budget that has gone to support a proposed "night shift" with ten staff positions, restarting a full TNR program, and restarting a low cost spay/neuter program for the public.  Communication by SJACS management continues to be extremely poor.

Sadly, such narratives as the one that we heard presented last December do nothing to improve the live outcomes of animals.

Sincerely,

Michael Wagner
Former board member and interim President
*Kitten's First for the San Jose Animal Care Center, 2019 - 2022*
*Founded by Dr. Tiva Hoshizaki, SJACS Veterinarian 2017 - 2021*

**From:** Moore,Cameron <[redacted]
**To:** M Wagner <[redacted]>
**Sent:** Tuesday, January 16, 2024 at 12:25:47 PM PST
**Subject:** San Jose Animal Care Services Consult Recommendations

Dear Mr. Wagner,

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You are welcome to forward this email to any city leadership or council members who may have additional questions or wish to discuss further. Our team is very interested in the success of SJACS and is here to help in any way possible.

Thank you for all you are doing to improve the lives of animals in your community.

**Cameron Moore**

[redacted]

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[redacted]

[redacted]

**W:** Shelter Medicine Program **+** Maddie's® Million Pet Challenge

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College of Veterinary Medicine

[redacted]

[redacted]

[redacted]

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# Rescue/Transfer

**Positives**

- Robust rescue/transfer program with 33% of all intake in 2021 leaving through rescue

**Opportunities**

- Assign one animal shelter coordinator to dedicated role of rescue coordinator
- Rescue coordinator should participate in daily rounds to identify pets that may need immediate rescue as well as follow up with rescues who have tagged animals but not yet picked up
- All animals should be available for rescues and adopters on a first come/first serve
- Update rescue agreement to remove barriers to live outcome
    - *#6: Animals on the rescue list or animals that have been available for adoption for at least one full weekend (Saturday and Sunday) are eligible for rescue. SJACS reserves the right to keep animals longer than one full weekend to meet public adoption demands. Any Chihuahua, pit bull, black cat or black kitten may be taken after applicable holding periods.*
        - Remove language in rescue agreement that states animals will be held in shelter for one full weekend before becoming eligible for rescue pull. SJACS's primary responsibility is public and animal safety and not to act as a pet store or adoption agency. SJACS should seek immediate live outcome placement for each animal in the shortest period of time. In addition, with over ±15,000 animals entering the shelter on an annual basis there will not be a shortage of animals needing placement.
        - Remove language from Section 6. that discriminates against breeds and colors of animals. All animals should be valued equally regardless of breed or color.

Re: Question - Maddie's Fund

Yahoo/Sent



**M Wagner**
**From:** [redacted]
**To:** Matthew Loesch

Wed, Jan 24 at 11:58 AM

Matt,

Obviously, you weren't involved in SJACS when Cameron Moore and *Maddie's Fund* conducted their audit.

Admittedly, the narrative about being *over-reliant on rescue* and *out-of-balance* with regards to other live outcomes was not in their 44-page report.

Yet, you told me over the phone that this is what the shelter consultants at *Maddie's* had told the shelter.

Question: WHO did *Maddie's* tell this to at SJACS?

Jay?

Mike

Outlook

# FW: Feedback regarding SJACS audit, agenda item 3.3

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 9:43 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Chris Chiappari [redacted]
**Sent:** Tuesday, December 3, 2024 9:41 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** Feedback regarding SJACS audit, agenda item 3.3

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You don't often get email from [redacted] Learn why this is important

Dear Mayor Mahan and City Council members,

My name is Chris Chiappari and I've volunteered at San Jose Animal Care and Services for over 5 years. I'm currently the Dog Volunteer Lead (along with volunteer Marek Markuszewski), responsible for all dog volunteer training materials, coordination and instruction of dog volunteers, as well as assessment of dog handling levels for the purposes of out-of-kennel enrichment. I've completed multiple courses on shelter dog behavior and safe handling, the most recent of which being Trish McMillan's Shelter Behavior Mentorship. I was also part of the now-defunct Stakeholder working group.

The auditors did an admirable job of assessing SJACS against the current ASV guidelines and highlighted many of the concerns that stakeholders brought to light almost 2 years ago. Management has already had ample time to address these concerns, yet very little progress has been made.

From my perspective as the SJACS dog lead, shelter operations are currently lacking in several key areas:

1. As highlighted by the audit: lack of flow management. Animals arriving at the shelter aren't consistently put on a pathway to an appropriate outcome, and there doesn't appear to be any kind of timeline for regular reviews. We've seen dogs sit in a kennel for over 100 days with NO out-of-kennel enrichment.
2. Fear Free and ASV Enrichment guidelines are not followed or even attempted.
3. Volunteer input and abilities are not leveraged to improve outcomes for animals.

"Mambo" (A1348755) is a recent example that showcases the shelter's shortcomings in the above areas.

1. NO FLOW MANAGEMENT: Mambo's intake date was 7/19/2024. He was put on evaluation based on fearfulness on intake — reportedly growling at staff — and then left in his kennel 24/7 with NO behavior modification or enrichment. He finally received a behavior evaluation on 9/24 (a full 2 months later) by staff with limited behavior training. The conclusion was that he was anxious about going through certain doors, fearful of strangers, and stiff with handling. None of these behaviors would have presented a bite risk to senior dog volunteers, who regularly work with and improve the lives of fearful shelter dogs.

2. FAILURE TO FOLLOW FEAR FREE AND ENRICHMENT GUIDELINES: Following his brief behavior evaluation, Mambo was then left in his kennel for another month without enrichment or any attempt at behavior modification, seemingly forgotten by shelter staff. Mambo had ZERO positive experiences with shelter staff due to their apparent refusal to implement Fear Free methods such as treat chucking and low-stress handing methods.

Mambo only began to improve once volunteers became aware of his status and began a regimen of treat chucking, eventually leading to rescue partner Dawn Piazza requesting to meet him to assess him for rescue. As a result, Mambo was finally made AVAILABLE for adoption on 11/8, over 100 days after he arrived at the shelter. At that point he was able to receive time out of his kennel and was integrated into play groups, which are volunteer-provided activities. I'm happy to say that Mambo thrived once his mental and physical needs were finally met, and he's now in a foster home.

3. UNDERUTILIZATION OF VOLUNTEER RESOURCES: As mentioned in point #1, my co-lead and I are trained and experienced in working safely with fearful dogs, having completed more formal coursework than 95% of shelter staff. Yet the management has consistently failed to engage us in helping dogs with behavior concerns, despite an impressive track record of success.

In my opinion, in order for the shelter to succeed, the City of San Jose needs to provide an advisor with solid project management experience to overhaul current operations, if not fully replace current personnel who are significantly underperforming in their roles. SJACS needs to finally commit to abiding by Fear Free practices, which ALL staff and volunteers are trained in. No amount of money will solve the problems at the shelter without a drastic change to the way it currently operates. Stories like Mambo's are a regular occurrence and cannot be allowed to continue.

Thank you for your time.

Sincerely,
Chris Chiappari

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Outlook

## FW: 3.3 SJAC Oreo

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 9:08 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Christina Callahan <[redacted]
**Sent:** Tuesday, December 3, 2024 8:58 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** 3.3 SJAC Oreo

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You don't often get email from [redacted] Learn why this is important




OREO, ID #A1350506
youtu.be

This video shows the time, care and efforts the volunteers make to help dogs in an unnatural environment feel safe. This video is produced by San Jose Animal Advocates.
Christina Callahan

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Outlook

## Fw: San Jose Animal Care Center

**From** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Date** Tue 12/3/2024 9:02 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**Katerina Tubera** | Staff Specialist | Office of the City Manager
Angel Rios, Jr., Deputy City Manager
Sarah Zarate, Director of Administration, Policy, and Intergovernmental Relations
[redacted] katerina.tubera@sanjoseca.gov
City of San José | 200 E. Santa Clara St. | San José, CA 95113
sanjoseca.gov | San José 311 | Facebook | Instagram

---

**From:** Libby Taylor <[redacted]
**Sent:** Monday, December 2, 2024 9:53 PM
**To:** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Subject:** San Jose Animal Care Center

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You don't often get email from [redacted] Learn why this is important

Hello,

If possible, please add this email to the comments presented at the City Council Meeting tomorrow.

I work as a volunteer at one of the animal rescues here in the south bay area. We rely on the san jose animal care center to provide necessary services for the city with regard to stray and lost and found animals. We need this critical city function to operate, not just adequately, but effectively. To do that, it needs to be staffed appropriately and supported by the city. This has been left too long and the current state of this organization is quite poor. The animals of this city need you to help fight for well-being as well as their lives. Please do what you can to push for change at our animal shelter.

Sincerely,

Libby Taylor

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Outlook

# Fw: Comment for December 3 City Council Discussion on Animal Shelter Audit Recommendations

**From** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Date** Tue 12/3/2024 9:01 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**Katerina Tubera** | Staff Specialist | Office of the City Manager
Angel Rios, Jr., Deputy City Manager
Sarah Zarate, Director of Administration, Policy, and Intergovernmental Relations
[redacted] katerina.tubera@sanjoseca.gov
City of San José | 200 E. Santa Clara St. | San José, CA 95113
sanjoseca.gov | San José 311 | Facebook | Instagram

---

**From:** Lorraine Oback [redacted]
**Sent:** Monday, December 2, 2024 7:25 PM
**To:** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Subject:** Comment for December 3 City Council Discussion on Animal Shelter Audit Recommendations

[**External Email**. Do not open links or attachments from untrusted sources. Learn more]

You don't often get email from [redacted] Learn why this is important

I write today in support of the recommendations put forth in the City Auditor's Report 24-06, ANIMAL CARE & SERVICES: ADDRESSING CAPACITY CONSTRAINTS AND UPDATING SHELTER PROTOCOLS WILL HELP IMPROVE ANIMAL OUTCOMES (November 2024). I am glad to see that the City Council is finally addressing this issue.

Intake to SJACS should not be a death sentence, but for far too many animals that was the outcome in FY23/24. The City needs to take steps necessary to ensure that animals taken into the shelter do not face a "dead end."

Some of the recommendations should be no-brainers; e.g., Determine current shelter capacity and assess whether additional kennel space is required. I want to emphasize my support for those recommendations designed to move animals through the system and back out into safe conditions in the community; specifically:

- Reassess the kitten nursery to divert kittens from the shelter.
- Formalize pathway planning in the shelter and increase opportunities for adoptions, rescue, and spay and neuter services.

- Designate a single point of contact to coordinate with rescue groups.
- Update communications to rescue groups to include complete and accurate information.
- Increase availability of low-cost medical services in the context of overall budget considerations.

Addressing overcrowding at the shelter should not overlook the reasons why the need is so great. It is a community problem, so an effort should be made to engage the community in its solution.

Education of prospective adopters is one key strategy. Far too many people seem to consider pets as household equipment that can be discarded at will. I expect that prospective adopters of children are assessed for their readiness and ability to take on the responsibility of raising a child. Adopting a pet is no less a responsibility and therefore, some sort of assessment should be conducted by the shelter to determine prospective adopters' understanding of what they are about to undertake in order to lessen the return rate.

The community at large, which includes current pet owners, needs to be made aware of the part that it plays in both the problem and the solution. I suggest a public information campaign about all aspects of pet stewardship, including the importance of not allowing unneutered pets to roam the streets where they will breed the next generation of unhoused animals. An unspayed cat, for example, can have up to four litters per year, with each litter containing 4–12 kittens. Cats can go into heat every 14–21 days, and can get pregnant again as soon as two weeks after giving birth.

Thank you for the opportunity to comment.

Respectfully,
Lorraine L. Oback
San Jose
95126

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Outlook

# FW: San Jose Animal Care Center- Concil Agenda Item

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 8:08 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Ana Spear [redacted]
**Sent:** Tuesday, December 3, 2024 8:01 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>
**Subject:** San Jose Animal Care Center- Concil Agenda Item

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Some people who received this message don't often get email from [redacted] Learn why this is important

Good Morning I would like this email to be added to the public record for today's meeting.

Good Afternoon,

I would like to thank the audit team for all the hard work as well as City Council member Davis for recognizing there is a problem with the leadership and asking at the NSE meeting if an outside person should come in to do a consultation.

The City of San Jose Animal Care Center has been in crisis for the last two years with no real leadership or accountability.

As a resident and taxpayer of the City of San Jose I ask the City Council to please stop throwing good money after bad. The problem at the Animal Care Center is not a lack of money, it is a lack of leadership. There is NO ONE on the current management team with any training or experience in shelter management.

NOT Deputy Director Jay Terrado

NOT Acting Deputy Director Kiska Icard

NOT Shelter Supervisor Mallory Kinsman

NOT Shelter Supervisor Tara Davis

Mr. Loesch has 10 other departments to manage and as an engineer also does not have much animal care knowledge.

What you do have is a management team who treats the shelter as if were a private business and not a public entity.

Management which includes the medical director do not follow or enforce protocols and procedures as well as treats staff and volunteers poorly which is evident by the constant turn over.

The social media person deletes posts when the public criticizes the shelter which is a violation of the public's first amendment rights.

Madam City Manager with great power comes great responsibility. You have been well aware of the issues at the shelter for the past two years and you have been more than gracious by giving the current leadership enough opportunities to make changes and all they have done is continue to pull the wool over your eyes with false information. At this point your lack of action makes you complicit in the poor treatment of staff, volunteers and the poor care and suffering of the animals. This leadership is a liability. Are you willing to continue to take on this liability and risk a lawsuit against the City of San Jose?

In closing I have three questions for the city council.

1. Are you also willing to continue to take on this liability and risk a lawsuit against the City of San Jose?

2. Do you truly believe the current management, who has not been able to make marked changes despite repeated budget increases will be able to accomplish the audit recommendations in a timely manner?

3. Who will be responsible for holding San Jose Animal Care and Services accountable?

Thank you for your time,

Ana Spear

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Outlook

# FW: SVPP Shelter Dog Day Out Program Closing

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:48 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** George Clause [redacted]
**Sent:** Tuesday, December 3, 2024 7:37 AM
**To:** District 6 <district6@sanjoseca.gov>
**Cc:** [redacted] City Clerk <city.clerk@sanjoseca.gov>; Kristen Clause [redacted]
**Subject:** Fwd: SVPP Shelter Dog Day Out Program Closing

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Some people who received this message don't often get email from [redacted] Learn why this is important

Dear Ms. Davis,

I am forwarding the below email from the Silicon Valley Pet Project (SVPP) to urge you and the City Council to reach an accommodation with SVPP that would allow it to continue its "Dog Day Out" (DDO) program with the City of San Jose Animal Care Center. My wife, Kristen and I have been volunteer dog walkers with the program since shortly after its inception in 2021. At the time we began we were the 4th and 5th walkers in the program that has grown to its present complement of 23 volunteer walkers. The program has been an amazing success the placement of large long stay dogs into forever homes, foster homes and rescues; dogs that otherwise would have likely required euthanasia because of overcrowding at the shelter. Kristen and I can count 40 dogs who have been placed due to our efforts alone.

The program is quite simple: Volunteers through SVPP provide their time and personal resources to take mainly large and long stay dogs out of the shelter for walks and hikes on local trails and parks for enrichment and breaks from the stress of shelter life. The transformation of these dogs that occur during these walks is truly remarkable. During these walks the volunteers take photos and videos which are then combined with a "report card" that describes the dogs' behavior and characteristics. The report cards are published on social media and posted on a bulletin board at the shelter, making it possible for otherwise overlooked and forgotten dogs to come to the attention of a variety of potential adopters and rescuers.

SVPP provides all of the coordination, scheduling and equipment for the walks. The program has been a phenomenal success and a bright spot in the otherwise troubled performance of the City's animal care center. If the program is unable to continue it will certainly mean neglect, suffering and death to many more worthy and salvageable dogs.

I am unaware of the numbers involved, but apparently SVPP is unable to continue to cover the cost of liability insurance for the program and the City has not come forward with a cost sharing solution. As participants in this volunteer program and residents of District 6, we find it necessary to bring this to your attention and ask that you motivate the City Council to come to an accommodation that will make it possible for SVPP to continue the DDO program.

Thank you.

George and Kristen Clause

[redacted]

**From:** Andrea Lee <[redacted]
**Date:** December 2, 2024 at 2:01:27 PM PST
**To:** Andrea Lee <[redacted]
**Subject: SVPP Shelter Dog Day Out Program Closing**

Good Afternoon Walkers,
After more than three years and over 1,100 outings for the long-stay large dogs at SJACC, the SVPP Shelter Dog Day Out Program will be ending this month. Our last walks will take place on 12/24/24.

I am heartbroken that this program is coming to a close. Unfortunately, despite multiple requests over the past three years, the City and Shelter have been unable to remove any of the liability burden from SVPP. We have faithfully run and bore 100% of the risk and costs of this program for more than three years and we cannot ask our board and donors to continue doing so.

In 2021, at the request of the shelter, SVPP started this program to temporarily help the shelter because it was in crisis - sadly, the shelter crisis does not seem to be ending. It is unreasonable and overreaching for the City of San Jose to continue to expect SVPP to bear the liability and costs indefinitely when they have made so few efforts to resolve the long-term crisis.

I have offered to help the shelter transition the program, but ultimately it is up to the shelter and city to decide if this is important to them or not. Our last outings will take place on December 24. Should you wish to adjust your December schedule, just let me know.

All best,
Andrea

--
Andrea Lee
Foster Program Manager
Silicon Valley Pet Project
Facebook | Twitter | Instagram

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Outlook

**FW: 24-2269 animal shelter audit**

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:47 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

-----Original Message-----
From: nest-excise-01[redacted]
Sent: Tuesday, December 3, 2024 7:24 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: 24-2269 animal shelter audit

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[You don't often get email from [redacted]Learn why this is important at https://aka.ms/LearnAboutSenderIdentification ]

As a community member and concerned animal advocate I'm not surprised at the audits results. This is what happens when you have unqualified management and staff running the shelter. The city needs to look outside of the dysfunctional shelter system to find caring, compassionate and qualified individuals.
I am also upset by the news that the Doggy Day Out program run by Silicon Valley Pet Project will be ending due to the city/shelter not taking responsibility for the liability and making this rescue shoulder this on their own for 3 years!!
This program has helped dogs get seen and adopted. It has given dogs an opportunity to spend a day not just 15 minutes out of their kennel. This is just one more example of city/shelter not working with groups that are trying to improve the lives of these animals as they wait for a home. I'm sure there's a solution to the liability issue. Other companies have figured this out by using waivers. This will be devastating to these dogs to lose this program!

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Outlook

## FW: 12/3/24 Agenda Item 3.3 - SJACC audit

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:46 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Amie Jan [redacted]
**Sent:** Tuesday, December 3, 2024 6:19 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** 12/3/24 Agenda Item 3.3 - SJACC audit

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You don't often get email from [redacted] Learn why this is important

Mayor Mahan and City Council Members,

My name is Amie Jan, and I have been a volunteer at the San Jose Animal Care Center (SJACC) for three years, dedicating over 15 hours weekly to walking dogs, running playgroups, and creating videos to network dogs for adoption and rescue. I've witnessed severe dysfunction at every level of the shelter: poor training, lack of communication, high staff turnover, and disregard for standard procedures have created a chaotic, ineffective environment.

Many animals live in egregiously inhumane conditions. For the past year, I've tracked dogs held on evaluation status, confined to kennels 24/7 for months without enrichment, exercise, or socialization. This prolonged confinement is cruel and severely impacts their physical and mental health, making adoption even harder.

Treatable and adoptable animals are placed on the euthanasia list at alarming rates, with most being saved only through the relentless efforts of volunteers. The unfilled Foster and Rescue Programs Coordinator position further reflects this leadership failure. Despite a highly qualified candidate, Dawn Piazza, taking on this role unpaid for months, the position remains vacant nearly three months after it was posted.

Additionally, after three years and over 1,100 outings for SJACC's long-stay large dogs, the SVPP Shelter Dog Day Out Program is ending this month. The City and shelter have repeatedly refused to share liability, forcing SVPP to bear 100% of the risk and costs—an unsustainable burden that further highlights the shelter's mismanagement.

While the recent audit identifies systemic issues, it fails to address the root cause: ineffective leadership. Despite countless meetings and detailed stakeholder recommendations, the current leadership team has failed to make even basic improvements. It is clear they are incapable of implementing the changes SJACC desperately needs.

I urge the Council to establish an Emergency Contract to bring in skilled, compassionate leaders capable of addressing these systemic failures, implementing the audit's recommendations, and ensuring the animals in SJACC's care receive the protection they deserve. True reform requires proactive, competent leadership—not reactionary responses to media or public outcry.

Thank you for your time and attention.

Sincerely,
Amie Jan

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Outlook

# FW: Letters From The Public

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:46 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** susan kutzman-Davis <[redacted]
**Sent:** Tuesday, December 3, 2024 4:09 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** Letters From The Public

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You don't often get email from [redacted] Learn why this is important
My name is Susan Davis. I have volunteered at the SCCAS in the past and currently volunteer at a rescue. This email is in response to the recent findings of conditions at SJ Animal Shelter.
I am appalled by the conditions in which these animals are forced to endure! It is the responsibility of paid employees and their management to maintain a safe and healthy environment for these defenseless animals!
I understand there may be a shortage of staff which should result in a request for more volunteers. However I also understand that volunteers have been turned away, received letters stating the shelter is at capacity for volunteers! Then staff claiming letters were sent in error?!
If these actions by staff do not raise a red flag over and over again I cannot help but come to the conclusion that this board and others who oversee the SJ Shelter are complicit with their actions!
There is no excuse for the lack of accountability for these conditions!
The management needs to be responsible and replaced immediately following the current situation. These defenseless creatures do not have a voice so it is up to all of us to stand up and speak on their behalf!

Sincerely,

Susan Davis
[redacted]

Sent from Yahoo Mail for iPhone

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Outlook

**FW: 24-2269 Animal shelter audit**

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:46 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

-----Original Message-----
From: nest-excise-01[redacted]
Sent: Tuesday, December 3, 2024 12:02 AM
To: City Clerk <city.clerk@sanjoseca.gov>
Subject: 24-2269 Animal shelter audit

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This audit has finally brought to light the lack of qualified management and the repercussions this has had on the animals. It is my hope that the city will look outside of the shelter bubble to find caring, qualified people.

I've also just learned the the Doggy Day Out program is shutting down due to the city and shelter not willing to take on the liability that this group has been caring for 3 years. This program has helped many dogs get adopted and given many dogs the opportunity to spend a whole day out of the shelter!! What a gift that is for these dogs.
The fact that the city/shelter is not willing to help shoulder the liability is shameful.
This is just another example of how the shelter/city refuse to work with groups that are offering enrichment for the dogs and helping get them adopted.
I would think that with the current situation you all would be working to keep programs like Doggy Day Out. I'm sure there's a solution to the liability issue. It's your responsibility to find it and save this program for these dogs.

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Outlook

**FW: 3.3 SJAC.**

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:45 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Christina Callahan [redacted]
**Sent:** Monday, December 2, 2024 11:54 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** 3.3 SJAC.

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Oreo, puppy.

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Christina

Outlook

# FW: San Jose City Audit of Animal Care Services

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:44 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Ani Elmaoglu [redacted]
**Sent:** Monday, December 2, 2024 10:45 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Mahan, Matt <Matt.Mahan@sanjoseca.gov>; Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>; Loesch, Matthew <Matt.Loesch@sanjoseca.gov>; Rios, Angel <Angel.Rios@sanjoseca.gov>
**Subject:** San Jose City Audit of Animal Care Services

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Dear Mayor Mahan and City Council Members,

My name is Ani Elmaoglu. I'm a certified dog trainer, and an ex-SJACS dog walking volunteer. I also used to volunteer with San Jose Animal Advocates, helping network dogs at risk of being euthanized, to help find foster homes and match them with rescues.

Today I'm writing to you to express my concerns about the manner in which our shelter, San Jose Animal Care & Services is being operated.

I'm not going to go through the long list of items identified by the audit one by one, but I hope that after reading it for yourself, you also come to the conclusion that we have a leadership issue at SJACS.

When Kiska Icard, the current Acting Deputy Director was hired back 2.5 half years ago, I was hopeful that she was going to be a change advocate, to help move things along in a positive direction. Mind you, things were not half as bad then, though now we know that it was calm before the storm. I and other advocates in the community have had multiple meetings with Jay, Deputy Director, and Kiska. When those meetings failed to affect change, we then met Matt Loesch and Angel Rios, discussing problems, offering solutions, offering assistance. The only things that came out of those meetings were more frustration at lack of action and the obvious inability for those in charge at our shelter. So this management

team at the shelter and the city have heard these issues highlighted by the audit many many many times before, and did not take us seriously. Hopefully they will now.

I would like to specifically talk about some of my concerns regarding the dogs at the shelter.

- There is no documented guidance on population rounds, however they still continue to identify animals at risk of being euthanized without them.
- None of the staff doing the rounds and evaluations have animal behavior certifications. They use outdated methods to assess animals, rather than those based on science.
- Animals are not altered until there's an adoption interest for them, which increases their length of stay, causing increase in kennel frustration, especially for larger dogs, sometimes causing the adopters to change their minds about adopting.
- Animals are no longer altered for rescues, which prevents rescues from wanting to work with SJACS to help reduce the animal population.
- The longer the animals stay at the shelter, the worse their behavior becomes, causing them to show unwanted behaviors in their kennels.
- A lot of the behavior evaluations by staff are done without even getting the dogs out of their kennels. Fearful dogs are labeled as aggressive and untreatable, solely based on their kennel behavior. Granted, this would be valid if they actually attempted to work on behavior modification. Instead, they use these labels to justify killing of healthy and treatable animals.
- Staff do not even carry treats to create a positive association for when dogs see them in their kennels. The relationship of fearful dogs with volunteers compared to staff and management couldn't be any different. While volunteers spend the time to make the lives of the animals better, they have little say when an animal is marked for euthanasia, when in fact they know these animals best.
- Animals that are marked for euthanasia are not networked by the shelter on social media. With the previous leadership, shelter coordinators would take photos or videos to reach out to the community at large or their rescue partners. This is virtually non-existent with the current management team.
- All the networking of urgent animals is done by volunteers and volunteer organizations.
- Animals are given only a few days after being marked for euthanasia, causing caring volunteers and community members to scramble to find foster homes and rescues.
- Every week 4-5 dogs are marked as final, meaning they will be killed if no foster/rescue is found.

- Treatable animals are killed by SJACS management and they are paying with their lives for the incompetence of shelter managers.

For many of us, the audit results are not surprising. What we are concerned about is the lack of accountability by this management team. Matt Loesch and Kiska Icard may say that the audit now gives them a roadmap of how to work on issues, however, we've been repeating these things for almost 3 years.

We cannot trust this existing management team to create plans and processes now and all of a sudden start implementing them. I am concerned that the only way they will plan to reduce the population is to start killing animals at a faster rate. I also do not trust that they will try to disguise the fact that they are killing treatable animals. Today they deleted their post about Papi from their social media, a dog killed by SJACS that had a treatable leg injury. When the community called them out about killing Papi, they deleted their post. This management team cannot be trusted with honesty, transparency, or the lives of our homeless animals.

We cannot wait another year! I request that every single manager at SJACS is put on notice, and if they do not deliver positive outcomes for the animals in the next 90 days, they all be replaced by caring and capable leaders.

**"The definition of insanity is doing the same thing over and over and expecting different results." - Albert Einstein**

Thank you for reading.

Ani Elmaoglu

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Outlook

## FW: San José Animal Care and Services Audit Report, Agenda item 3.3

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:44 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Ann Chasson [redacted]
**Sent:** Monday, December 2, 2024 10:02 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** San José Animal Care and Services Audit Report, Agenda item 3.3

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You don't often get email from [redacted] Learn why this is important

Dear Mayor Mahan and City Council,

I am the President of The Dancing Cat, a non-profit cat rescue organization. We have partnered with the shelter for nearly 10 years and participated in the Stakeholders' group convened by Deputy City Manager Rios in early 2023.

I'd like to offer a rescue partner's perspective on the audit report being presented today. The auditors conducted a thorough review of the shelter's policies and procedures. While shelter staff have agreed with the findings and committed to improvements, many of these changes won't take effect until December 2025, which is deeply concerning. For example:

- 
- 
- Recommendation #4: Reducing Intake
- of Newborn Kittens: ACS plans to present a written plan by December 2025 to limit or transition away from accepting neonatal kittens. Both the recommendation and the delay are troubling. Few rescue organizations specialize in neonatal care, and their capacity
- is extremely limited. The community's ability to handle these kittens is almost non-existent, as evidenced by the calls I've received from concerned citizens over the past two years. A public discussion is needed to fully evaluate the downstream effects of
- this policy, including the potential for an increase in deceased kittens being picked up by Animal Control Officers.
-

- 
- 
- Recommendation #9: Increasing Spay/Neuter
- Services: Spay/neuter services are critical to controlling the city's severe overpopulation of cats. Waiting until December 2025 to address this issue is unacceptable—it must be prioritized immediately. Cooler weather has temporarily reduced the number of
- kittens being born, creating a window of opportunity to focus on adult cat spay/neuter services.
- 

  To increase capacity, the city should: 1) Reduce barriers for private veterinarians to provide on-site services, 2) contract with high-volume providers like SNIP Bus, 3) hire vets and vet techs who have experience with high-volume spay/neuter techniques and 4) train current shelter vet staff on these techniques.
- 
- 
- Recommendation #6: Clear Paths for
- Shelter Animals: While identifying clear outcomes for each animal is crucial, this recommendation is too narrowly focused. Increasing adoptions and rescue partnerships are important but not sufficient. Rescues are overwhelmed by pets whose guardians were turned
- away from ACS. Shelter management should be prioritizing partnerships with local, state, and national organizations to transfer animals to areas with higher adoption demand, particularly during seasonal shortages. In the past, SJACC successfully reduced its
- population through such transfers during the winter months.
- 

Regarding funding and staffing, I am concerned about the Mayor's memo potentially questioning the need for additional funding. While funding alone won't solve all issues, the shelter has been chronically underfunded and understaffed for years. As a safety net for vulnerable animals, ACS requires additional staff to meet its mission effectively.

A focused effort on achieving high-quality and timely outcomes for all pets—adoptable and special needs alike—will reduce shelter population and improve the care provided to the animals that remain.

Thank you for your attention to this critical issue.

Sincerely,

Ann Chasson
Co-Founder and President, The Dancing Cat
[redacted]




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Outlook

**FW: City Council Meeting - Agenda Item 3.3 (SJACS)**

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:43 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** M Wagner [redacted]
**Sent:** Monday, December 2, 2024 9:32 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>
**Subject:** RE: City Council Meeting - Agenda Item 3.3 (SJACS)

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Submitting for the City of San Jose Public Record

AGENDA ITEM: 3.3

TOPIC: **FISCAL YEAR PERFORMANCE DATA***

DATE: 12/2/2024

Dear City Council,

For your reference, I have provided the following shelter data for the past 4 fiscal years:

**2023 - 2024 fiscal year:**

Cat Intake: 7,530 Cat Rescue: 822 Rescue as a Percentage of Intake: **10.9%** LRR: **78%**

Dog Intake: 4,147 Dog Rescue: 461 LRR: 92%

Total: 11,290

**Previous 2022 - 2023 fiscal year:**

Cat Intake: 5,944** Cat Rescue: 1,134 Rescue as a Percentage of Intake: **19.1%** LRR: **79%**

Dog Intake: 3,709 Dog Rescue: 357 LRR: 95%

---

Total: 9,653

**Previous 2021 - 2022 fiscal year:**

Cat Intake: 9,832 Cat Rescue: 2,590 Rescue as a Percentage of Intake: **26.3%** LRR: 88%

Dog Intake: 3,639 Dog Rescue: 629 LRR: 96%

---

Total: 13,471

**Previous 2020 - 2021 fiscal year:**

Cat Intake: 9,958 Cat Rescue: 3,763 Rescue as a Percentage of Intake: **37.8%** LRR: 90%

Dog Intake: 2,911 Dog Rescue: 1,006 LRR: 96%

---

Total: 12,869

Cats Died in the care 2020 - 2021 FY: 111

Cats Died in the care: 2021 - 2022 FY: 144

Cats Died in the care: 2022 - 2023 FY: 321

Cats Died in the care: 2023 - 2024 FY: **493**

Cats Died in the care: 2024 - 2025 FY: 317***

* Data taken from the Monthly ASPCA Outcome Data of SJACS

** One of the lower base years for cat intake relative to historical data

***As of 12/2/24

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Outlook

**FW: City Council Meeting - Agenda Item 3.3 (SJACS)**

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:43 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** M Wagner <[redacted]
**Sent:** Monday, December 2, 2024 9:20 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>
**Subject:** Re: City Council Meeting - Agenda Item 3.3 (SJACS)

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Submitting for the City of San Jose Public Record

AGENDA ITEM: 3.3

TOPIC: **Overnight Shift and Kitten Nursery / City Audit Recommendation #4**

DATE: 12/2/2024

Dear City Council,

In February of 2023, Deputy Director Terrado proposed an Overnight Shift for the shelter which the City Manager appropriated approximately $850,000 of funding to staff a total of 10 positions supporting such a shift throughout the week. This new Overnight Shift was funded for FY 2023 - 2024 and took roughly 10 months to implement, when it finally became operational in April of 2024. This proposal occurred during the same month that a Deputy City Manager had pledged to "re-engineer" the shelter.

In a scheduled 30-minute phone conversation with the City Manager on October 11, 2023, I was told that she was deeply concerned about bottle-fed kittens having the possibility of being euthanized, if there was no overnight feeding (care) for these neonates.

Interestingly enough, under a previous management team there was a robust "network" of fosters who conducted overnight bottle-feeding for neonates. Two of these fosters were board members of mine at our 501(c)3 non-profit, *Kitten's First for the San Jose Animal Care Center.* This robust "network" provided excellent care to help kittens under 8-weeks get on their feet towards eating gruel and did not cost the City a single dime.

The City Audit clearly states on Pages 27 and 28 that the shelter should be ***diverting kittens from intake*** and placing them in foster care of with rescue partners and references the UC Davis Koret

Shelter Medicine Program and the Maddie's Fund Consult in doing so.

Both these organizations frown upon Kitten Nursery's and Overnight Shifts that care for kittens under 8 weeks of age that place high demands on shelter care and resources.

For some strange reason, the ACS Deputy Director did not abide by the recommendations made by the *Maddie's Fund Audit* of August of 2022. The $850,000 spent on an Overnight Shift was not necessary given the bountiful foster and rescue resources available in the San Jose Community, especially given previous documented success by a robust network of "overnighter" foster homes. It is puzzling why the City Manager and her ACS Deputy Director were unaware of this.

These funds could have clearly been better spent bolstering the lack of Vets and RVT's at the shelter.

Again, it is puzzling why funds were allocated in the way in which they were, not recognizing what the premier shelter management organization (Maddie's Fund) had stated in their audit of August of 2022 or the recommendations from the UC Davis Koret Shelter Medicine Program warning against Kitten Nurseries.

Why does SJACS Management and the City repeatedly shun the recommendations of key opinion leaders and organizations such as Dr. Elizabeth Hurley at UC Davis and Cameron Moore at Maddie's Fund?

Sincerely,

Michael Wagner

Former board member, *Kitten's First for the San Jose Animal Care Center*
(2019 - 2021)

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Outlook

# FW: Comments for 12/03 City Council Meeting regarding SJ Animal Care Center

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:41 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Rebecca Tannous [redacted]
**Sent:** Monday, December 2, 2024 9:03 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** Comments for 12/03 City Council Meeting regarding SJ Animal Care Center

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City Council,

My name is Rebecca Tannous and I have been a dog volunteer at the San Jose Animal Care Center for 1.5 years. I am appreciative of the efforts by the city to complete an audit of SJACC and see many of our complaints validated in writing. However, I wanted to highlight some missed aspects the audit doesn't fully highlight.

- The audit highlights symptoms but the diagnosis is poor leadership and poor management. The issues in the audit and more (high turnover, inefficient use of staff, mismanagement of funds/lack of paying invoices on time) have been brought up to management for several years and been ignored by management. Committees have even been created and fallen to the wayside and promises of improvement and change left unfulfilled. We need a change in leadership made now to ensure the goals of the audit are fulfilled. Establish an Emergency Contract to bring in leadership support with the skill set needed to address the audit.
- With the audit, came the pressure for the shelter to get under capacity for care. While the audit recommended a multi-pronged approach, the shelter has only moved forward with one approach - to increase euthanasia. Instead of hiring back their rescue coordinator, Dawn Piazza, they have placed 4-5 dogs on the euthanasia list nearly every week since the beginning of September. The only reason euthanasia rates haven't drastically climbed is that she and San Jose Animal Advocates work tirelessly in a volunteer capacity to network these euth listed dogs to rescue.
- To correct Acting Deputy Director Kiska Icard's comments in the NSE meeting, treatable animals are indeed being euthanized. Bella Trix was on the euthanasia list because she would squabble with her kennel neighbors and instead of lowering a barrier to prevent such interaction (which volunteers do but staff do not), she was placed on the euthanasia list. Jazzy was placed on the euthanasia list simple for being fearful in the shelter. The shelter is loud and terrifying for many animals. Enrique was placed on the euthanasia list for an incident that occurred 5 months prior and had been available for adoption during that time.
- Without management properly managing the flow of animals, some dogs are placed on evaluation status and left to sit in their kennel without walks - some for 90+ days (Striker and Mambo for example). This is inhumane.
- The shelter states they are fear free yet staff refuse to use treats when interacting with dogs! This is downright unacceptable. Every staff member should carry a treat pouch with treats. Volunteers do and have significantly better interactions with the dogs than staff.
- The shelter wants to improve rescue relationships but refuses to alter dogs for rescue which is a large financial burden on rescues that rely on donations to operate. The shelter would rather euthanize a dog than alter it for rescue.

- In a recent development, the Shelter Dog Day Out Program run by Silicon Valley Pet Project is being discontinued due to the city and shelter not working out details on liability insurance. The loss to the large dog population is going to be drastic. I myself was both a shelter volunteer and dog day out walker and am incredibly upset by this turn of events. The feedback obtained from dog day outs was invaluable in getting dogs adopted. The shelter lacks the administrative and organization skills as well as the volunteers to run this program. I would hope everything in your power will be done to reinstitute this program immediately. On a related note, the Public Information Manager's refusal to post content from these dog day outs on the shelter's social media has been an example of a lack of working with valuable rescue partners. Per the Maddie's report, third party feedback has been proven more effective at getting shelter dogs adopted and in fact many dogs were adopted after their first dog day out reports were placed on their kennels for the public to read. Again the loss of this program is devastating and needs to be rectified immediately.

I reiterate again that the shelter needs to establish an Emergency Contract to bring in leadership support with the skill set needed to address the audit as well as the issues highlighted above.

Thank you for your time.

Rebecca Tannous

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Outlook

# FW: City Council Meeting - Agenda Item 3.3 ( SJACS)

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:41 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** M Wagner [redacted]
**Sent:** Monday, December 2, 2024 8:48 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>
**Subject:** Re: City Council Meeting - Agenda Item 3.3 ( SJACS)

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Submitting for the City of San Jose Public Record

AGENDA ITEM: 3.3

TOPIC: **Rescue Participation and Warehousing Animals**

DATE: 12/2/2024

Dear City Council,

The shelter regularly states that it is operating beyond max capacity, which is true.

Yet, what goes unnoticed in this narrative is the FACT that rescue partners have gone largely ignored over the past 3 years and as a result, animals have wound up being "warehoused" in the shelter by the SJACS Management team instead of getting the animals out to rescue as soon as possible as the *Maddie's Fund Audit* has recommended. - - - The data from the shelter confirms this.

On December 14th, 2023 at the NSE Committee Meeting Deputy Director Jay Terrado admitted that rescue partners had been "neglected" in 2023 and that he and his staff were going to "re-engage" with rescue partners. Sadly, once again this turned out to be yet another false promise by Mr. Terrado.

**Cat Rescue Pulls as a Percentage of Cat Intake for 2023:**

6.85%

**Cat Rescue Pulls as a Percentage of Cat Intake for 2024*:**

8.45%

The last time that the San Jose Animal Care Center was a *No Kill Shelter* for cats was back in FY 2020-2021 when shelter manager Lorance Gomez and his lead coordinator Monique Rodriguez achieved a 90% Live Release Rate (LRR) on intake of 12,869 cats.

The rescue participation rate as a percentage of cat intake was **37.8%** during this period.

Deputy Director Terrado and his management team have continued to ignore rescue partners. The data confirms this.

Sincerely,

Michael Wagner

Former board member, *Kitten's First for the San Jose Animal Care Center*
(2019 - 2021)

* Verified by ASPCA Outcome Data as of October 31, 2024

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Outlook

# FW: Public Record Submission-SJACS-Veterinary Outsourcing and Care Concerns

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:40 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** Nineveh Parker <[redacted]
**Sent:** Monday, December 2, 2024 6:20 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>
**Subject:** Public Record Submission-SJACS-Veterinary Outsourcing and Care Concerns

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Dear City Council,

I hope this message finds you well.

In January 2024, following last year's NSE Committee Meeting, I met with ACS and the Public Works Director to discuss how Palo Alto Humane could offer veterinary funding assistance for our rescue partners who transfer animals out of the shelter.

Our Partnership with San Jose Animal Care Services aimed to provide residual grant funding for any veterinary needs that these animals might require after receiving basic care from the medical staff and/or funding through the Guardian Angel Fund (GAP). As a reminder, GAP covers the medical expenses for the animals in the shelter, as well as for our partner rescue organizations and foster parents.

Over the past year, Palo Alto Humane has contributed over $20,000 in grants to facilitate medical costs for rescues taking animals from SJACS. However, I've observed several key issues that need to be addressed:

GAP funding appears to be primarily utilized for basic medical protocols, such as fecal testing, blood work, vaccinations, and spay/neuter procedures. Unfortunately, many rescues are seeking funding for basic medical needs that should ideally be managed by the medical team.

It's my understanding that the Veterinary Staff is currently overwhelmed, resulting in insufficient manpower to deliver adequate care for all animals in shelter.

Despite the time that has passed since our last discussions, the same challenges persist. Animals are still not receiving the proper medical care they require.

I urge you to closely examine the reasons behind the ongoing struggles faced by our Medical Staff. An animal shelter of this size should be managed in the same manner as a vet hospital, with a focused effort on developing a dedicated veterinary team capable of handling the anticipated volumes of animals arriving at ACS.

Instead of concentrating on building an effective medical team and establishing necessary treatment protocols, it seems that considerable efforts are being made to outsource care. This approach is not serving our animals' best interests, and I believe it's crucial to reassess our strategy to ensure every animal is accounted for and receives basic treatment in a timely manner.

Thank you for your attention to this important matter.

Sincerely,
Nineveh Parker
Director of Community Engagement
[redacted]
**Palo Alto Humane**
paloaltohumane.org




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Outlook

**FW: SJACS AUDIT 2024 - Public Record**

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 7:40 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** lyne lamoureux <[redacted]
**Sent:** Monday, December 2, 2024 5:40 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>; Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>
**Subject:** SJACS AUDIT 2024 - Public Record

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SUBMITTING FOR THE CITY OF SAN JOSE PUBLIC RECORD
TOPIC: SJACS AUDIT 2024

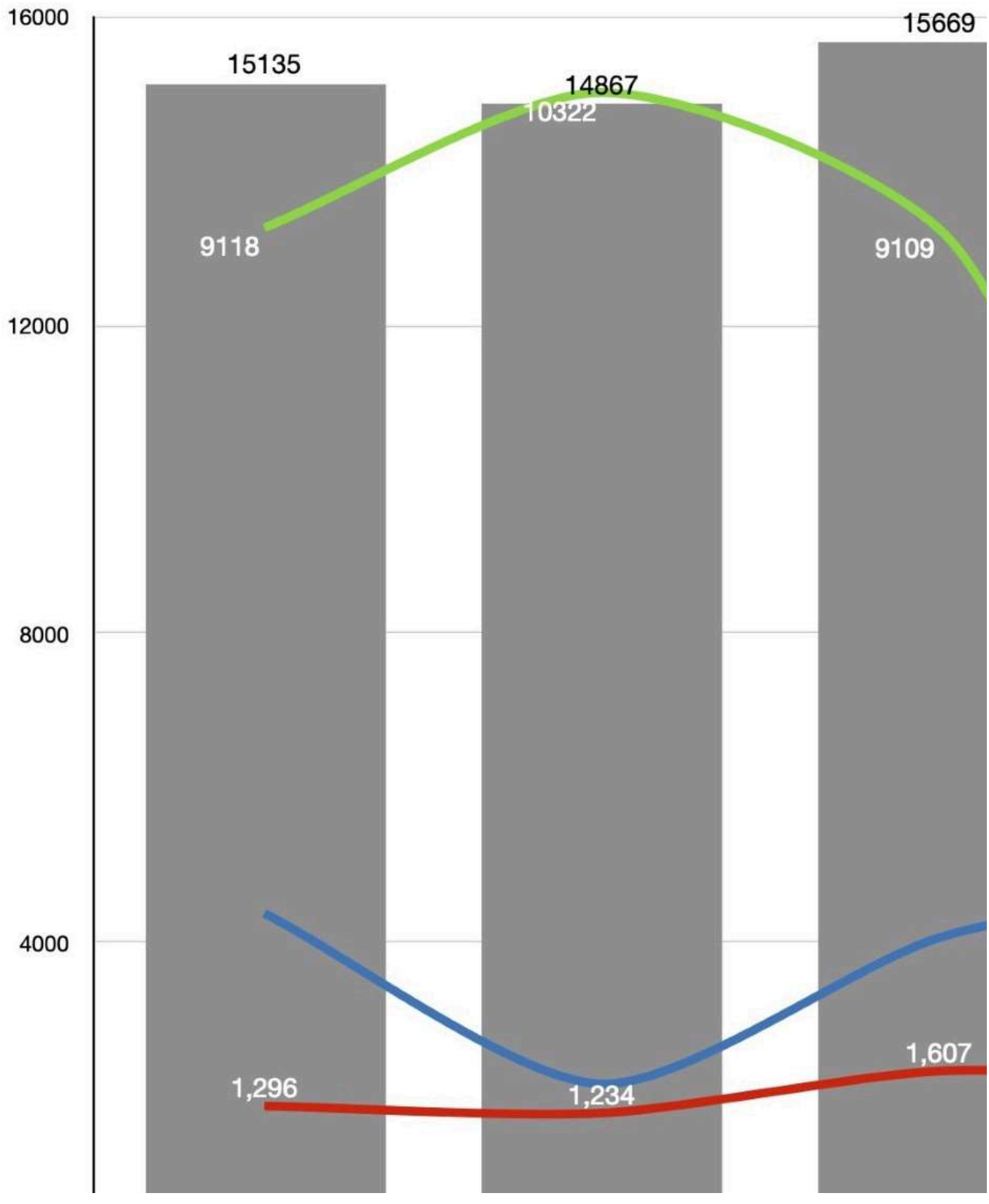
Dear Members of the City Council,

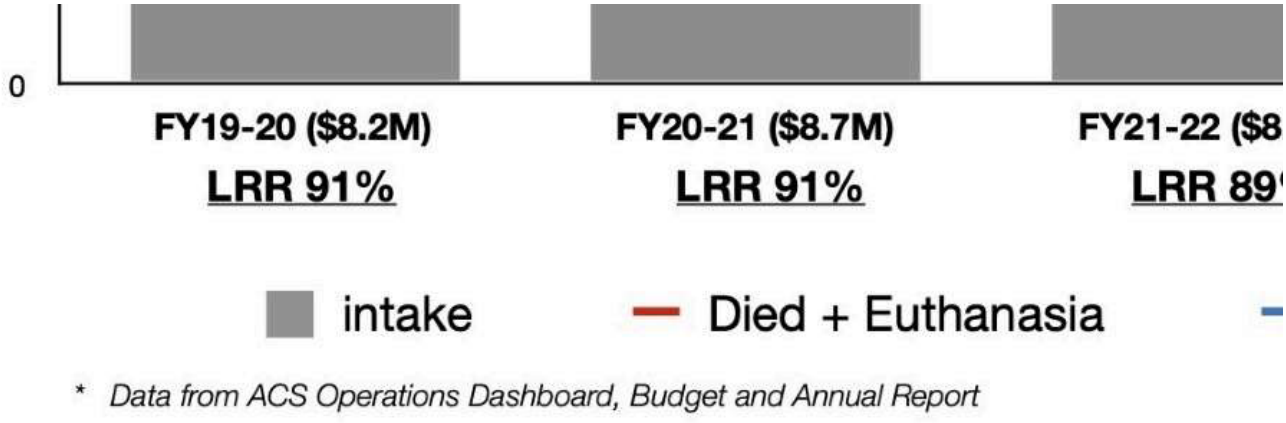
The recent audit has confirmed what animal advocates have been voicing for years: the leadership at our city's shelter has failed its mission. While the national surge in shelter animal populations presents challenges, it is not the root cause of the shelter's struggles. The true issue lies in the lack of skilled, effective leadership.

Under the current management, the shelter has consistently neglected its responsibilities. Leadership has chosen to disregard basic guidelines set by the Association of Shelter Veterinarians (ASV), severed long-standing partnerships with rescues, and failed to establish proper operational procedures. They have not adequately trained staff, fostering a toxic work environment that has led to high turnover in both operational and medical teams. They have failed to manage inventory efficiently, leading to waste, and medical oversight has been appallingly neglected. Hundreds of cats have died under their care. Volunteers, once a valued and respected part of the shelter's ecosystem, have been alienated.

Since FY20-21, the last fiscal year in which the shelter achieved a no-kill status with a Live Release Rate (LRR) exceeding 90%, we have seen a 41% increase in the budget and a 20% increase in staffing for FY23-24. Despite these resources, intake numbers have declined while the LRR has plummeted. This year, FY24-25, the shelter received an additional 27% budget increase, yet there has been no improvement.

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SJACC All Animals * - Fiscal Year Intake, Adopte
Transfer - FY18-19
16000
12000
8000
4000
15135
14867
10322
15669
9118
9109
1,296
1,234
1,607




* *Data from ACS Operations Dashboard, Budget and Annual Report*

For over two years, advocates have raised these concerns with both shelter and city management, only to be ignored, dismissed, and lied to. This pattern continues, as we saw at the NSE meeting and local news coverage.

Now we're being asked to wait until May to evaluate progress—progress led by the same team that has already failed even though they have received a substantial budget and headcount increase.

City management chose to hire layers of leadership with no shelter operations experience to run a high-intake municipal shelter, and the animals are paying the price.

As an animal advocate, I am outraged by the suffering of these animals. As a taxpayer, I am appalled by the waste of our city's resources. My question to you is this: Why aren't you?

Our city's animals and its residents deserve better. I urge you to take immediate action to address these systemic issues and hold shelter leadership accountable.

Sincerely,

Lyne Lamoureux
8+ year SJACS cat volunteer
San José resident and tax payer

Outlook

## Fw: Serious Concerns about San Jose Animal Shelter's audit and animals welfare

**From** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Date** Tue 12/3/2024 11:00 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**Katerina Tubera** | Staff Specialist | Office of the City Manager
Angel Rios, Jr., Deputy City Manager
Sarah Zarate, Director of Administration, Policy, and Intergovernmental Relations
[redacted] katerina.tubera@sanjoseca.gov
City of San José | 200 E. Santa Clara St. | San José, CA 95113
sanjoseca.gov | San José 311 | Facebook | Instagram

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**From:** Taraneh Roosta [redacted]
**Sent:** Tuesday, December 3, 2024 10:58 AM
**To:** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Cc:** District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>
**Subject:** Serious Concerns about San Jose Animal Shelter's audit and animals welfare

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Dear Councilmembers of San Jose,

I am writing to you to express my deep concerns about the inhumane conditions of many voiceless animals inside the San Jose shelters and beyond and to ask for your intervention as soon as possible.

It is Heart breaking to know how animals inside the shelters are suffering from inadequate medical attention, food, hygiene, excersize, socialization and more, in one of the richest cities in the USA.

Recognizing animals rights and protecting these rights is the responsibility of the entire society but the legal

and moral responsibility is rightly placed on the shoulders of the government officials and those in position of power.

As the individuals voted in to carry out the important responsibity of representing people in the city of San Jose, I urge you to look into this matter as soon as possible with utmost urgency and take specific actions to ensure all animals inside the San Jose shelter are living in healthy environments where all their needs are being met and that there would be no more red tapes to untilize more volunteers, more funding, and adequate and timely oversight.

I ask you to  become a voice for all the voiceless animals, and you can be assured that I will be their voice as well and will be watching over the animals welfare in the city of San Jose and beyond.

Thank you for your immediate and urgent attention to this matter.

Taraneh

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Outlook

## Fw: Comments to be added to today's City Council meeting regarding SJACC

**From** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Date** Tue 12/3/2024 10:45 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**Katerina Tubera** | Staff Specialist | Office of the City Manager
Angel Rios, Jr., Deputy City Manager
Sarah Zarate, Director of Administration, Policy, and Intergovernmental Relations
[redacted] | katerina.tubera@sanjoseca.gov
City of San José | 200 E. Santa Clara St. | San José, CA 95113
sanjoseca.gov | San José 311 | Facebook | Instagram

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**From:** Rhoda Faye Sicotte [redacted]
**Sent:** Tuesday, December 3, 2024 10:41 AM
**To:** Tubera, Katerina <Katerina.Tubera@sanjoseca.gov>
**Subject:** Comments to be added to today's City Council meeting regarding SJACC

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A Nov. 30th *SF Gate* report[1] shared the findings of a City Auditors Report that decried the horrible living conditions of the animals currently sheltered at the San Jose Animal Care Center, and made recommendations on how to improve the conditions.

I was appalled when I learned of the details in the report, as I had no idea that these inhumane conditions existed at a place that is intended to provide shelter for stray and lost animals. In addition, it sounds like mismanagement of the shelter (turning away volunteers, not tracking medical care and medicine, and staff neglect of animals).

Question for City Council:

- Are the suggestions from the Auditors Report going to be implemented? If they are not implemented within a reasonable time frame, what will be the penalties?

Thank you,
Rhoda Abidog
San Jose resident

[1]https://www.sfgate.com/news/bayarea/article/san-jose-report-shows-inhumane-conditions-19950851.php

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Outlook

# FW: City Council Meeting December 3, 2024, Agenda 3.3, Animal Shelter

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Tue 12/3/2024 12:04 PM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** K K <[redacted]
**Sent:** Tuesday, December 3, 2024 11:58 AM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** City Council Meeting December 3, 2024, Agenda 3.3, Animal Shelter

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Dear Mayor and Members of the City Council,

Thank you for taking the time to review these matters. I understand that processing the vast amount of information coming your way can be overwhelming, so I truly appreciate your efforts in engaging with and working through these issues. I want to emphasize that nothing I say or write is meant to be personal or to hurt anyone's feelings. My intentions are never malicious, and I deeply empathize with the challenges some are facing. However, there are important issues that need to be addressed, and in order to do so, we must speak frankly. Only by thoroughly understanding and addressing the problems plaguing the shelter can we hope for a real resolution—especially when we are dealing with living beings who have no voice in our system. Below are just a few of these topics, though there are others.

**What Is Working: Fear Free Shelter Training, Shelter Rescue Posts On Social Media:**
I deeply appreciate the shelter for providing the Fear Free Shelter training (Fear Free Shelter Program | Learn How to Reduce Stress in Shelter Pets), as it has been instrumental in enhancing my understanding of animals. In many ways, I feel indebted to the shelter for offering such a valuable resource. I recognize that this initiative was a suggestion by the Maddie's Fund Consult, and I hope it continues to be offered and encouraged. The training provides a solid foundation and framework for those new to the animal world, as well as for those already involved who could benefit from strengthening their knowledge. Above all, it offers a compassionate and consistent approach to how humans should interact with animals, particularly fearful ones.

Additionally, I've noticed, for the first time since the NSE meeting, that the shelter has taken the initiative to start posting rescue animals on its Facebook page. This is a very positive step, and I applaud the effort. It's clear that decision-makers are listening. It will take time and consistency for the shelter to build traction with the community and establish itself as a trusted source advocating for at-risk and urgent animals. Given the large number of animals on the rescue list, I would suggest creating a separate post, in addition to the current rescue posts, that clearly highlight animals with impending deadlines. (The issue of short deadlines still is troubling.)

**Volunteers Efforts, Problem Solving, Absorbed for Evaluation:**
Currently, volunteers are writing biographies for the animals, printing them at home, and placing them on individual kennels. Without this effort, the kennel cards would remain blank or contain minimal information

about the animals. This simple method is an excellent way to advertise the animals and help them get adopted or rescued. Volunteers also provide most of the walks and animal socialization, manage the walking/socializing schedules, and often have a deeper, more personal understanding of the animals. They are extremely organized, dedicated, and play a crucial role in paving the way for adoptions and rescues. Additionally, they have begun an enrichment program funded out of their own pockets.

The concern here is that volunteers are shouldering the bulk of the enrichment and socialization efforts for the animals. Does this suggest a staffing deficit at the shelter?

What would the shelter look like without the volunteers? Animals would lose out on vital socialization, time outside their kennels, and exposure to the public—all of which are crucial for their well-being and chances of adoption or rescue. The impact would be devastating.

Even with their efforts, volunteers are only able to provide a portion of the animals of the necessary care, with each animal getting about 15 minutes of time out every other day. While this is a commendable effort, 15 minutes is simply not enough. The animals require more time out of their kennels to thrive.

Solutions:

- The shelter needs to recruit more staff to handle these tasks, but what it truly requires may be additional workers. Can the city explore this option and provide the necessary support to the shelter? Specifically, could the city hire vetted and experienced dog walkers and cat socializers to ensure the animals receive the attention and care they need?

- Create kennel cards with basics listed (e.g. good with cats/kids/dogs/other animals, shy/needs time to warm up/scared/social, likes/dislikes head pets, potty trained/crate trained, prefers harness, etc.) where the volunteers, staff, and the community could quickly circle the appropriate options, as many do not have the time to write full biographies.

- Given how organized and self-motivated the volunteers are, they would be the ideal group to consult for suggestions on addressing the various issues affecting the shelter. It is crucial that they be included in the decision-making processes.

- Dog playgroups should be enhanced through additional training and recruitment, with a greater focus on spaying and neutering to ensure the success and accessibility of this crucial program by all animals. Home - Dogs Playing for Life

**Behavior Evaluation, Evaluating the Evaluators:**

Please read this concise article outlining why behavior evaluations are, at best, ineffective in shelter settings: Why Behavior Evaluations in Shelters Can Be Misleading

At the shelter, as part of behavioral assessments, staff perform "bear hugs," also known as restraint hugs. Why? These animals are already overwhelmed—confined, hungry, possibly sick, and surrounded by noise (even wails), and surrounded with unfamiliarity. Then, a stranger enters their cramped space, with no treats, no time or possible desire or understanding to bond and provide positive exposure before evaluation, and grabs hold of them to perform various "tests". It's not rocket science—of course, the animal reacts by barking, growling, or biting. That is their language, their way of protecting themselves. Many of us would likely react similarly in such circumstances. What else could be expected?

But here, these poor animals are harshly judged and sentenced to death for acting in a way that any intelligent being would. They are not given a moment of understanding, and their behaviors are not viewed in the context of their environment and the artificially introduced stressors. What is the value of the evaluation if nothing is done to alleviate these stressors before or after the assessment? If you discover an animal is scared, you simply note it down and then what? Condemn them to death and move on to the next animal? It feels as though they are being set up to fail. Just like humans, animals need time to get to know you and warm up.

Evaluations may serve more as a placebo for the shelter rather than having real-world application, as many experts in the field question the validity of these assessments in the shelter context, especially when used to

predict an animal's behavior outside the shelter and determine whether they should be euthanized. As a result, many shelters do not rely on these tests to make life-or-death decisions for animals. Maddie's Fund Consult also highlighted that shelter environments are not conducive to successful meet-and-greets between owned animals and shelter animals. They recommend, "Discontinue requiring or encouraging dog meet-and-greets. Reactions in the unnatural, stressful environment of a shelter are not indicative of behavior or long-term relationships with other pets in the home that take time to develop. Educate adopters on the importance of a gradual, safe introduction, as these relationships can take weeks to months to develop."

Additionally, the Association of Shelter Veterinarians' Guidelines for Standards of Care in Animal Shelters (ASV) emphasizes that the first interactions for animals in the shelter setting set the tone, and everything should be done to prevent fear. These tests are not helping on that front.

The ASV Guidelines state: "Over the past two decades, studies have shown that behavior evaluation tests fail to reliably predict future behavior, particularly aggression, in a new home. Performing one stressful subtest after another can negatively impact test results and the animal's emotional well-being... Formal testing requires considerable time and resources and can increase individual and population length of stay (LOS). For these reasons, requiring all shelter animals to go through a formal behavior evaluation test is no longer recommended. "It further emphasizes that information should be gathered organically, "including history and behaviors observed during all shelter and foster interactions. These interactions, with an emphasis on those likely to occur in a home setting, include intake procedures, daily care, medical handling and treatment, enrichment, play, and training activities, as well as interactions with personnel, visitors, adopters, and animals of the same species." This information is best gathered from the volunteers. The ASV guidelines also state, "When animals are experiencing high levels of stress or fear when interacting with people or other animals, they must not be forced to interact. In all cases, interactions with animals must not intentionally or carelessly provoke negative emotional states or undesirable behavior." The guidelines further recommend that foster care and home environments are the best settings for animals with behavior issues, and that remedial actions, such as training or other behavior modifications, must be taken to support these animals.

A clear indicator of the ineffective nature of these tests is that while paid staff often mention difficulty handling an animal in shelter notes, many volunteers and community members are able to work with the same animals and achieve better outcomes. Additionally, animals placed on the euthanasia list are, for the most part, thriving in their adoptive and foster homes. (There are countless videos, testimonies, and social media pages documenting the experiences of euthanasia-listed dogs once they leave the shelter. I can forward this information to you if you are interested.) Yet, the decision to euthanize an animal rest almost entirely with the staff who conduct these tests and believe in the tests' usefulness. This is a glaring issue that needs to be addressed.

These animals are now restricted, meaning volunteers cannot access them, walk them, socialize with them, or even take pictures. Why? I have heard troubling reports that some dogs have been isolated for up to or more than 100 days without getting out, due to the prolonged evaluation schedule and process, with no remedial efforts made to assist the scared, fearful animals between evaluations. The shelter will lose trust further if there is a lack of transparency, red tape, lockouts, and valid concerns about staff suitability for certain roles or tasks.

<u>Solutions:</u>

- Perhaps the assessments should be phased out, as they are not appropriate for a shelter setting, especially one in such chaos.
- Evaluators at all levels within the shelter need to be assessed as well. Please do not allow the misconception that years on the job automatically equate to proficiency or expertise.
- Volunteers should be allowed to take pictures, and those pictures should not have to be filtered through staff. "If there is nothing to hide, you hide nothing."
- Volunteer input should be included in any evaluation done by staff, as volunteers often have a more intimate relationship with the animals and possess a wealth of knowledge about them.

- Staff, especially animal control and veterinary personnel, should be frequently reassessed regarding how they interact with the animals to ensure they are not unintentionally further traumatizing them. Proper handling of all animals should be made mandatory for anyone who works with any species. It is unacceptable for staff to show a preference for one species over another or to fear one subgroup more than another. They should be constantly reassessed for their ability and understanding of proper, safe, and stressless handling.

- Recruit and maintain a strong foster network.

- Continue with the Doggie Day Out program

**Euthanasia as the easy answer, Fostering Trust:**

That is the biggest concern within the community, as euthanasia conversations hiding behind the words "humane/inhumane" often occur when shelters feel pressure.
Was it not inhumane for the shelter to eliminate or neglect enrichment, which, according to ASV guidelines, is just as mandatory as nutrition and physical exercise for animals?
Was it not inhumane to prevent the animals from being socialized?
Was it not inhumane to allow animals to remain unaltered?
Was it not inhumane to keep animals in their kennels without taking them out?
Was it not inhumane to harshly and unfairly judge animals out of context and euthanize them?

It would be truly inhumane for the shelter to believe that euthanizing animals will solve these problems or foster trust. In fact, the shelter is losing support because of these actions. Unlike others, I personally do not fault the management and staff for doubling up animals in kennels or refusing more animals. I understand the intent. Yes, adjustments needed to be made afterward to ensure better outcomes, but I will defend the shelter for its attempt there. What I cannot defend is their reversal of stance due to mounting pressure to find solutions. Euthanasia should never be considered "a solution." As the ASV guidelines state, euthanasia should only be considered after all other options have been exhausted. Certified trainers and/or those with a good track record have offered their services for free yet shelter management has declined their help multiple times. Are there city restrictions preventing shelter management from accepting this support

Solutions:

- It's time to get creative and explore options that have long been underutilized.

- The volunteers and community need to be engaged to help find better solutions, with continuous collaboration and communication with them.

- Those who have offered their services and expertise should be revisited, thoroughly vetted, and ultimately onboarded if deemed suitable.

**Staff Morale, Expanding the Reservoir, Basic Data Entry:**:

I also worry about staff morale. There are many competent and compassionate people working at the shelter who have to compensate for those who are inefficient. Staff face their own set of challenges daily, and it cannot be easy for them to speak up and push for change.

It was mentioned that there is no "wide reservoir of people who have worked with the same volume of shelter animals and know how to work with the city," but why are these considered mandatory requirements? Shelter staff often enter the system right out of high school and remain stuck, hoping to move up the ranks. They may later seek certificates or months of online schooling to validate a new position. However, the Maddie's Fund consult stated: "SJACS has many key positions either vacant or newly filled by staff members with a steep learning curve and little training or mentorship available. This combination creates a major impact on the ability to maintain capacity for care for both the animals and staff."

While it is true that C's still get degrees and people without degrees can have raw talent, this is all the more reason to thoroughly vet applicants from the start. We should not be hiring individuals simply because they have been in the system for decades and are loosely familiar with the field. You can be married for decades and still not be an expert at marriage. Expertise needs to be assessed differently. By prioritizing internal hiring and

transferring staff between shelters, we have created a poor pool of candidates who carry dysfunction with them wherever they go. The previous management also had their own issues, and they took those with them to their next positions.

We are failing humans and animals when we trap humans in such a hopeless bubble.

Also, both the audit and Maddie's Fund highlight issues with absent or incomplete data, and concerns about data integrity were also raised. Basic elements, such as ensuring the right animal is in the right kennel or that numbers are entered properly into the system, were overlooked, to name just a few.

Solutions:

- Maddie's Fund consult suggested: "Create a Clinic Manager position in the medical department to work directly under the Medical Director to oversee line staff and clinic operations. This position should be filled by someone with strong organizational and management skills but does not require an RVT license." We have a wealth of talented individuals right in our own backyard with strong operational skills. There are excellent MBA programs at Stanford and Berkeley, and if the shelter or city is willing to nurture these relationships, alliances can be formed. Graduates and their professors could help guide management through many of the self-evident gaps. Those in managerial positions need not all have prior animal experience but should be trained using the various literature and guidelines available. Once managerial experience is combined with knowledge of animal welfare, you will have the right candidates to run the shelter efficiently, making it financially more viable. However, it is crucial to hire strong pillars at every level of the shelter to avoid dysfunction. Even if it is simply to use these experts to guide and support those at the shelter in the meantime, that would still be an improvement.

- The city must add more staff, but it is equally important to ensure they are thoroughly vetted, proficient, and efficient to avoid individuals who delay progress and waste space and taxpayer money.

- There are many state and community colleges in the area where internships can be offered to students to help ensure that data is entered accurately and completely and also to ensure processes are being followed.

- Some of these solutions can be cost-free, while also expanding the pool of potential future hires for various positions. However, hiring from within without ensuring the best candidates are chosen along with a lack of ongoing training and improvement, will only create more issues and foster a toxic environment where progress and new ideas are stifled. We should not hire or promote from within, or from the shelter world at large, simply because we have positions to fill. All candidates must be thoroughly vetted for proficiency and effectiveness—I cannot emphasize this enough. And if candidates do not perform, there must be the courage and wisdom to make necessary edits.

Finally, we, those with ties to San Jose, are part of a community known for innovation, thinking outside the box, and positively disrupting the status quo to achieve better outcomes. The shelter is not currently meeting basic standards and is inefficient, but with all the bright minds working together, we can create a shelter that not only meets those standards but thrives—perhaps even becoming a model for other shelters one day. These are man-made problems, so the solutions will be man-made as well. It can be done. But we must stop revictimizing the animals for crimes they're not committing. We've let them down for far too long.

Thanks,
Krishna

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Outlook

## FW: 3.3 San Jose Animal Care and Services

**From** City Clerk <city.clerk@sanjoseca.gov>
**Date** Wed 12/4/2024 7:45 AM
**To** Agendadesk <Agendadesk@sanjoseca.gov>

**From:** christina callahan <[redacted]
**Sent:** Tuesday, December 3, 2024 11:07 PM
**To:** City Clerk <city.clerk@sanjoseca.gov>
**Subject:** Fwd: 3.3 San Jose Animal Care and Services

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Hello, it appears my email below never made it to the public comment. Are you able to add it? Please let me know. Thank you.
Christina

Begin forwarded message:

**From:** christina callahan [redacted]
**Date:** December 2, 2024 at 23:46:05 PST
**To:** city.clerk@sanjoseca.gov
**Subject: 3.3 San Jose Animal Care and Services**

Oreo intake 8/08/2024
Oreo RESCUED 11/03/2024
Sometime in the beginning of August, while volunteering at the San Jose Animal Care shelter, I noticed a small black Shih Tzu mix in one of the kennels. I was interested in taking this dog on a walk, but I could not because he was on behavior "evaluation." When I inquired about the status of this dog, I was told he was on bite quarantine but should have been off of bite quarantine because 10 days had passed. Therefore, I waited until the next time I could come to the shelter, and I had planned to check on him, which wasn't until the following week. No one had evaluated him, and for my second attempt to walk him - I was not allowed to. The following week, I came to check on this little guy again and was made aware he was off of bite quarantine but continued to be on behavior evaluation. Therefore, I could not take him out. Weeks passed by until weeks turned into months. His kennel card had a handwritten note that read "Aggressive." I thought to myself, how could this little one be aggressive? He seemed scared.
The shelter estimated this dog's age as three to five years old. Evaluation dogs at the shelter are not taken out of their kennel at any point during the day. Unless an evaluation dog is in a half kennel, it will not get taken out of its kennel at any point of the day. Suppose they happen to be in a half-kennel. In that case, they only get taken out for a few minutes while a maintenance person cleans the kennel, and another animal care attendant will quickly leash the dog and take it

out for these moments to get the dog out of the way for cleaning. Imagine how traumatic this could be for a dog that never gets out.

Every time I passed Oreo's kennel, I would stop and visit with him because he appeared stressed and frightened. He is a small dog who shares a row of kennels with large dogs. He was the only small dog in the row. You may have been to the shelter, but it is loud. Dogs are barking. Doors are closing, and people are walking in and out.

**For nearly three months, this dog had never made it to the volunteer walk list. This dog was on evaluation the entire time and determined unsafe to handle, and then he was given a final date for euthanasia.**

By the grace of God and San Jose Animal Advocates, a small local rescue pulled Oreo and saved him from the staff at San Jose Animal Care Center.

It turns out Oreo is only 10 months old. He entered the shelter as early as six to seven months old. While in the shelter, he was allowed NO social interaction with other dogs, NO human interaction, NO enrichment, and NO walks. NOTHING except FEAR and ISOLATION. I never saw a toy in his kennel. Not only were his puppy years stolen from him, but he was about to be euthanized for behavior issues. I don't understand how this dog stood a chance at the San Jose Animal Care Center. This is unacceptable, and this is how current leadership runs the shelter. Shelter management will give you excuses on how and why they determined Oreo un-adoptable. But the bottom line is the shelter failed to give him a chance.

Are there records of consistent non-aversive attempts to modify behavior? Are there records of staff walking him? Are there records of staff providing in-kennel enrichment/ toys for him?

The shelter staff will tell you this dog is dangerous because he bites! Please visit One Planet Rescue's brief video story featuring Oreo on Facebook and determine for yourself if this dog is a threat to the public. It is more likely that this dog bit because it was scared and uncared for. Are Animal Care Attendants adequately trained to perform adoption counseling? Where is the accountability for a dog returned within 24 hours and placed on bite quarantine? Is it always the puppy's fault?

This situation is beyond belief, and as a concerned citizen of San Jose, I am disheartened. It is simply unacceptable that a young, innocent dog like Oreo could be subjected to such neglect and mistreatment in a place that is supposed to provide care and protection.

Christina Callahan

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