



OFFICE OF THE MAYOR

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CITY COUNCIL

Anthony Cannella, Mayor
Chris Vierra Guillermo Ochoa
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November 24, 2008

Honorable Board of Supervisors
County of Stanislaus
1010 10th Street, Suite 6800
Modesto, California 95354

Dear Sirs:

As noted in previous correspondence, the cities of Ceres and Modesto have serious concerns related to the County's plans to replace the animal shelter.

In summary, the County is asking the cities to significantly increase their budgets, not only to pay for over 60 percent of the new shelter's cost but to also pay the majority of the operational costs, over and above current contract costs for field service. This added financial burden in the face of significant budget shortfalls will have an adverse impact on our ability to provide other vital city services.

In addition, the cities are concerned with the overall management of the animal control program relative to field service delivery problems, significant turnover, the inability to fill the director's position, inadequate spay/neuter and public education efforts, continued high euthanasia rates and the lack of long range planning. All of these could factor into additional increases in operational costs.

For these reasons we would appreciate receiving answers to the following questions, so that we may better determine whether continuing to utilize the County shelter is in the best fiscal interests of our citizens.

1. Given that we are facing the most significant economic downturn in the last 30 years, is there any reason why this project could not be delayed 18 months to two years to give cities and the County time to hopefully acquire adequate funding to construct and operate a facility that will serve the citizens for many years to come?
2. The County plans to finance the building over 20 years. What would the effect on the cities be if this project were financed over 25 or 30 years?

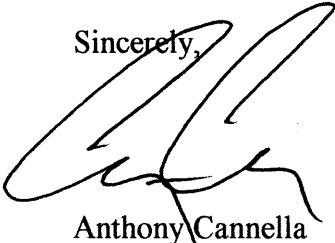
3. Would the County consider phasing in the proposed cost increases over three (3) years?
4. What methodology was used to derive:
 - a. Facility debt service
 - b. Current operational costs
 - c. Future shelter operational costs
 - d. SCATE costs
 - e. Revenue
5. The County has determined that a significant percentage of each city's costs comes from canvassing (Modesto receives nearly 75% of all canvassing services) and proposes to charge each city according to the percentage of animals taken in. While Ceres receives only 3.4% of the canvassing services provided, we are being charged based on the 11% intake percentage. As the County is charged with conducting canvassing under our current agreement, what steps are planned to minimize this discrepancy? On the other hand, why not distribute costs based on canvassing percentage?
6. It would appear that the County's charging methodology includes some overhead costs (e.g. General Services, charges for fleet and building maintenance) that have as a component administrative overhead. Government Code section 51350 prohibits this practice. Would you please address this issue?
7. How will current labor agreement costs affect the projected city charges?
8. What plans does the County have to increase field staffing and what are the cost impacts of increased staffing in this area?
9. The County used the National Animal Control Association estimates to project shelter staffing needs. How does this staffing model compare with the current shelter staffing allocation?
10. The cost to pick up and dispose of a dead animal is significantly less than the processing of a live animal picked up by patrol services. What percentage of animals attributed to Ceres were picked up dead? How does this percentage compare to other cities? Does the County plan to take live vs. dead intakes into account when apportioning future charges?
11. The numbers of animals entering the shelter that are attributed to Ceres exceed historical norms. How will shelter usage percentages be determined in future years and how and when will city charges be adjusted to reflect actual usage?
12. To what extent will SB 90 reimbursement reduce the ongoing net cost of the building and operations?

13. How will future SB 90 claim reimbursements be applied?
14. To what extent will the County's Public Facility Fees collected for the Animal Shelter be used to reduce the debit obligation?
15. How would changing the charging methodology from shelter usage to a per capita charge affect cost distribution?
16. We have been informed that several cities are making other arrangements for animal control. What impact will a reduced service area have on cost sharing and future costs?
17. When will the County provide the cities with a final budget numbers so that we can, with some degree of certainty, decide what our future costs are likely to be?
18. The County's proposed shelter design is highly dependent on the expectation that non-profit help will reduce the need for facility space. Policies and procedures are not in place at this time to ensure that this will happen. The building size is predicated on holding the animal population at current levels, yet the County admits that its efforts to curb the animal population have not been successful. What are the County's plans to reduce the animal population and what metrics does it plan to put in place to monitor the success or failure of these efforts?
19. In general what plans does the county have relative to expansion of the new shelter if efforts to reduce the number of shelter intakes are not successful?
20. How does the County plan to fill the Animal Services Director position?
21. What is the County doing to address the turnover in the Animal Services Department which, according to Mr. Young, is currently 30%?
22. What is being done to modify the Department's goals and objectives to identify and focus the efforts of management and staff on specific programmatic and operational improvements as noted above (Questions 18-21)?
23. We have contacted the State Department of Health and they inform us that all of Stanislaus County is a declared rabies area and will remain so declared for the foreseeable future. This being the case we believe that the Health and Safety Code require that the cities, after giving specific statutory notice can require the County to provide rabies control service including the operation of the animal shelter at no charge to the cities. The applicable code sections are: 101375 (formerly section 476) This provides that a city can compel a county to enforce provisions of the H&S code in the city after giving specific notification. H&S Section 121690 is the rabies control section (formerly Section 1920). The parts of interest are primarily *d.* and *e.* which

require the impoundment of dogs in violation of the statute and the maintenance of a pound system (i.e. animal shelter and a rabies control program in declared rabies areas). If you have legal arguments inclusive of court citations to refute this point of view we would like to know what they are before we proceed further with this issue.

We would request that the County's proposed cancellation of the City's current animal control contracts be put on hold until we have a chance to analyze your answers to the above questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Cannella', written over the word 'Sincerely,'.

Anthony Cannella
Mayor
City of Ceres

CC: Ceres City Council
Brad Kilger, City Manager, City of Ceres
Mike Lyons, City Attorney, City of Ceres
Jim Ridenhour, Mayor, City of Modesto
Greg Nyhoff, City Manager, City of Modesto
Richard W. Robinson, Chief Executive Officer, Stanislaus County