

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-19

Urgent

Routine

AGENDA DATE December 16, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Rescind Notice of Intent to Terminate the Existing Agreements Effective December 31, 2008 with the Cities of Modesto, Ceres, Patterson, Hughson, and Waterford for the Provision of Animal Services; Authorization and Approval of the Chief Executive Officer to Negotiate Preliminary Agreements with the Cities Who Will Be Participating in a New Animal Shelter

STAFF RECOMMENDATIONS:

1. Approval to rescind notice of intent to terminate the existing agreements effective December 31, 2008 with the Cities of Modesto, Ceres, Patterson, Hughson, and Waterford for the provision of Animal Services.
2. Authorize and approve the Chief Executive Officer to negotiate preliminary agreements with the Cities who will be participating in a new animal shelter.

FISCAL IMPACT:

The County provides animal control services by contract to the Cities of Ceres, Newman, Patterson, Hughson, and Waterford and shelter services by contract to the City of Modesto. The total Animal Services 2008-2009 Fiscal Year budget is \$3,159,156 and total revenue is \$1,510,343. An amount of \$590,250 is included in the Department of Animal Services revenue amount for city contracts. The County retains revenue from licenses, fees, and permits. The net cost to the County for the Department of Animal Services is \$1,648,813.

BOARD ACTION AS FOLLOWS:

No. 2008-862

On motion of Supervisor Monteith, Seconded by Supervisor Grover
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: District Two vacant

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

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DISCUSSION:

On September 23, 2008 the Board of Supervisors approved the notice of intent to terminate the existing Animal Services agreements effective December 31, 2008. Since that time, staff from the Chief Executive and Animal Services have been in ongoing discussions with the Cities who have expressed an interest in partnering in the delivery of animal services programs.

County staff have been working to develop a plan that would allow the County to move forward with the constructions of a new shelter and provide flexibility to the Cities in completing there due diligence in participating in a new shelter. In the discussions with the Cities, the County has continuously expressed the need to create a new level of partnership with the Cities. The proposed new partnership is based upon mutual responsibility for the service levels expected by the community, along with a cost sharing formula that reflects a fair share of cost for each respective participant. The County also continues to pursue the interest of a Joint Powers Agency (JPA) for the provision of Animal Services with the Cities for the purpose of administering the shelter. The County however proposes that it is not required that a city be a member of the JPA in order to receive animal services.

As part of the County's own due diligence, a new location is being evaluated. This will allow the current location on Finch Road to be available for Cities who chose not to participate in a new shelter or for a non-profit agency to operate the old site.

The original building estimate for a new shelter is at approximately \$11 million which will be paid back by partnering agencies and the County over a 25 year period. The proposed funding of the project is recommended to come from the County's 2006 Tobacco Endowment Fund. The interest charges on the loan from the Tobacco Endowment Fund will be calculated based on the actual interest earnings lost to the County on advancing the money from the fund.

Currently the County is working with Richard Rauh to reaffirm a space program and develop a conceptual design for a new Animal Services Facility. Once the County knows which Cities will be participating in a new shelter, these Cities will have an opportunity to provide input on the shelters conceptual design. County staff will be returning to the Board for approval of the next phase of the project.

During a meeting in early December, all of the current contracting cities were informed of all of the options and the desire to have all of the cities continue to partner with the County. The Cities are now in a position to make their decision as to how they would like to proceed with the County.

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If a City chooses to participate with the County in a new shelter they are required to begin paying their proportional share of shelter costs effective January 1, 2009 based upon animal intake and send a letter of interest by January 15, 2009 to the County.

Agreements would be revocable up to the date the County proceeds to bid on the design/build project. It is anticipated that the design/build documents will be done by April 30, 2009.

If a City chooses not to participate with the County in a new facility, the County will continue to provide shelter and/or field services to cities at the current contract rates through June 30, 2010 at which time a new shelter is completed and the County has relocated its operations. For these Cities, the County recommends the existing shelter be available to develop their own program.

The Chief Executive Office will negotiate preliminary agreements with those Cities who choose to participate in a new animal shelter. The Chief Executive Office will return to the Board for approval once the final agreements are completed.

The following are major dates for the County and Cities in determining levels of animal services:

- January 1, 2009 – Cities participating in a new shelter will start to pay their respective share of costs based upon intake;
- Cities not participating in a new shelter will be charged in accordance with their existing contract;
- January 15, 2009 – Initial letter of interest from the Cities to the Chief Executive Officer in participating in a new shelter;
- March 1, 2009 – Completion of preliminary agreements with Cities wishing to participate in a new shelter including proportional share of cost based upon intake;
- Between March 1, 2009 and no later than April 30, 2009 – Finalized agreements with Cities participating in a new shelter; and
- June 30, 2010 – End date of Animal Services agreements with Cities not participating in a new shelter.

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The County will also work with Cities, partnering with the County long term in a new shelter, to put into place a management oversight committee to review and recommend Shelter operations and budgets along with establishing a Joint Powers Agency (JPA). One of the focuses will continue to be spay and neuter programs and education to reduce unwanted animals, pet overpopulation and a high euthanasia rate.

POLICY ISSUES:

Approval of this agenda item will support the Board priorities of "Efficient delivery of public services" and "Effective partnerships".

STAFFING IMPACT:

Chief Executive Office, Animal Services and County Counsel will continue to work with the Cities to reach a new cost sharing agreement.