

OFFICE OF THE
COUNTY ADMINISTRATOR

March 27th, 2018

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SUBJECT: Agreement for Animal Control Services with Marin Humane and Summary of Recommended Animal Control Ordinance (Section 8) Changes and Fee Updates

Dear Board Members:

RECOMMENDATION:

- 1) Authorize President to execute three-year agreement with Marin Humane in the total amount of \$10,750,582 (over three years) to provide animal control services on behalf of all Marin County jurisdictions

SUMMARY:

Marin County and all of Marin's cities and towns provide animal services through a joint powers agreement. The cost of services is shared 30% by the County, with 70% apportioned among the member cities and towns. The County contracts with Marin Humane (MH), also known as the Marin Humane Society, to provide animal services on behalf of all jurisdictions. The current three-year agreement with MH expires on June 30, 2018.

The Negotiating Team has been meeting regularly since October 2017 to negotiate a new agreement with MH as well as discuss and recommend changes to the Animal Control Ordinance and any needed Ordinance fee changes. The Team included representatives from the County Administrator's Office, the Executive Officer of the Marin General Services Authority, and Managers of the City of Larkspur and Town of Ross.

Agreement for Animal Services with Marin Humane

The Negotiating Team discussed with MH the costs of service, challenges related to retention and hiring of staff, facilities maintenance at their campus, and their technological needs. As a result of those discussions and negotiations, the Team is recommending a very similar contract to previous years with the following key changes and recommendations:

Term - A three-year agreement for FY 2018-19 through FY 2020-21.

Annual Cost Increase – The attached contract increases the annual payment over the previous year by 4.0% in FY 2018-19; 3.0% in FY 2019-20; and 2.0% in FY 2020-21. The increases would be used to address staffing costs, make improvements to technology, including implementing a new dispatching software module, and improving an aging stray animal facility.

Dog License Fees – MH promotes and collects dog license fees. Historically, these fees were transferred to offset the jurisdictions' costs of the animal control program. The Negotiating Team discussed a mechanism to better incentivize collections without risking the revenue presently received by jurisdictions. The recommendation included in this contract takes all dog license fee revenue over \$300,000 annually (current baseline receipts) and allocates 60% of those additional collections to MH and 40% to member jurisdictions. This ratio acknowledges the resources incurred by Marin Humane to promote additional license purchases, as well as to process the increased number of licenses. The revenue amount received by MH would be used for any promotional costs, with the remainder set aside for facility maintenance. The anticipated annual revenue increase is estimated to be approximately \$32,000, with 40%, or \$12,800, going to member jurisdictions per the revenue sharing agreement in the new contract.

Injured Animal Program – The State-mandated Sick and Injured Animal Program requires that sick and injured animals be taken for veterinary care, and is presently handled outside of the existing MH contract. The County bills each jurisdiction for these costs where the animals are found. The recommended new contract requires MH to cover all costs for sick and injured animals within the contract. This change, proposed by MH, will save resources among all parties through reduced administrative staffing costs. The monetary savings to jurisdictions would be approximately \$4,000 per year.

Marin Emergency Radio Authority (MERA) - Also included in the new contract is a reopener in the event that MERA capital costs are required during the term of the agreement.

Animal Control Ordinance, Chapter 8.04 of Title 8 Proposed Changes

Marin County is recognized as a leader in promulgating ordinances that protect animals from cruelty, neglect and abuse in addition to encouraging responsible pet guardianship. Historically during negotiations with MH, the parties discuss any needed or desired changes to the Animal Control Ordinance in the Marin County Code to further these values or to clarify language in the Ordinance. The recommended changes are noted in the attached Draft Ordinance. The following is a summary of the proposed changes, appearing separately on your Board's policy agenda:

- **8.04.181; Potentially dangerous and vicious dogs** – The change in this section is required in order to be consistent with a recent change in State law. The revision removes dogs that were identified in convicted dog fighting cases as automatically being defined as “dangerous” without a hearing. MH advises that this has never been at issue in Marin previously, but the technical change is recommended to be consistent with State law.
- **8.04.040 and 8.04.050; Rabies vaccinations - Veterinarian reporting requirements** – There are a couple of changes proposed in this Section. The first would give veterinary hospitals and clinics additional time, increasing the deadline from 10 days to 30 days, to comply with rabies vaccine reporting requirements. The extended period may help increase compliance among Marin County veterinary clinics and hospitals.

Another proposed change to 8.04.050 would establish home bite quarantine fees as part of the County's general fee schedule. This is recommended as a cleanup item to be consistent with how other County fees are managed.

- **8.04.182 – 8.04.184; and 8.04.230; Exotic Animals** – There is a growing national trend to not use exotic animals for entertainment and education. The changes proposed by MH expand the list of prohibited wild and undomesticated animals allowed to be kept in Marin, as well as limiting those organizations that can exhibit exotic animals. The purpose of the changes includes the protection of public health and safety, protecting and recognizing the unique needs wild or exotic animals have, reducing inhumane training techniques, and decreasing the amount of administrative effort it takes to research and enforce specialized permit applications. The recommended changes will have no effect upon organizations qualified to handle wildlife, for instance the Marine Mammal Center in West Marin.

If adopted by the Board, the ordinance would only go into effect once all member cities and towns of the Marin Animal Services JPA adopt the ordinance in their jurisdictions to ensure uniform MH enforcement countywide.

Recommended Fee Changes to the Animal Control Ordinance, Chapter 8.04 of Title 8
The County Administrator's Office is also proposing a first reading of a revised Animal Control Ordinance fee schedule, appearing separately on your Board's policy agenda. In December of 2017, MH staff conducted a survey of neighboring counties such as San Mateo, San Francisco, Contra Costa, and Alameda, and determined that increases to Marin's fee schedule are both appropriate and consistent with these other jurisdictions. MH has confirmed that the proposed fee increases do not exceed the cost of providing the associated services. The last such fee increase was in 2012. The attached exhibit displays the existing and proposed revised fee proposal.

FISCAL IMPACT:

Agreement - The fiscal impact of the proposed three-year agreement with MH would result in annual JPA costs of \$3,489,769 for FY 2018-19; \$3,594,462 for FY 2019-20; and \$3,666,351 for FY 2020-21 for a total of \$10,750,582 for the three-year term from July 1, 2018 - June 30, 2021. The County is responsible for 30% of these costs. Per the contract's 4%, 3%, and 2% yearly increase, the County's share of the costs will increase by \$40,267 in FY 2018-19, \$31,408 in FY 2019-20 and \$21,567 in FY 2020-21.

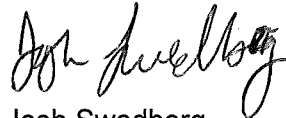
All expenditure and revenue appropriations will be included in the FY 2018-19 proposed budget to cover JPA and net County obligations.

Animal Control Ordinance - There are no additional costs for the administration or enforcement of this ordinance, and we anticipate no or minimal impact on any businesses located in Marin.

Fee Changes - Once adopted by all of the members of the Animal Control JPA, the anticipated annual revenue increase is estimated to be approximately \$32,000, with roughly \$12,800 for member jurisdictions.

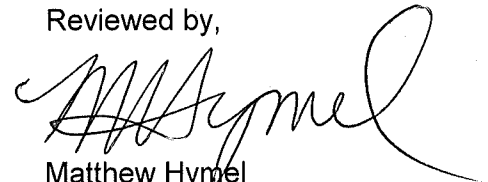
Marin City and Town Managers were presented a summary of the tentative contract, ordinance changes, and fee increases at its meeting of January 25, 2018 and are in agreement with the proposal as recommend.

Please let me know if you have any questions or concerns.
Sincerely,



Josh Swedberg
Management & Budget Analyst

Reviewed by,



Matthew Hymel
County Administrator

cc: City/Town Managers
Marin Humane Society
Marin General Services Authority