



MEMORANDUM

Date: September 23, 2014

To: Jan Leshner
Deputy County Administrator
for Medical and Health Services

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Dr. Francisco Garcia, Director
Health Department

Re: **September 23, 2014 City of Tucson Letter Regarding Animal Care Services**

Attached please find a letter I recently received from the City of Tucson regarding their Intergovernmental Agreement related to our provision of animal care services inside the City of Tucson.

Please note on Page 2 they do not want the Trap, Neuter, Return (TNR) cat program to be operated within the City limits. Please discontinue all activity to implement this program within the City of Tucson.

Also, please notify the Best Friends Animal Society of this action, as it may affect their grant associated with the TNR program. If they desire to withdraw the grant, I would certainly understand their position. Please stress to them that the County continues to feel positively about this program; however, without the consent of the City of Tucson to provide these services inside the City, it is inappropriate to continue with the grant.

Finally, this grant received significant community support and attention. Please notify those who participated in or commented on the proposed grant of the action we must now take based on the position of the City of Tucson.

CHH/anc

Attachment

c: The Honorable Chair and Members, Pima County Board of Supervisors



CITY OF
TUCSON

Budget and
Internal Audit

September 23, 2014

Mr. Foid K. Janes
Chief of External Affairs
Pima County Health Department
3950 S. Country Club, Suite 100
Tucson, Arizona 85714

Dear Mr. Janes,

Within the past year Pima County has implemented several changes to the provision of animal care services that have affected the City of Tucson. Specifically, unanticipated expenses related to the Pima Animal Care Center (PACC) have been allocated to the City with little to no input from City staff or from the City's Mayor and Council. These expenses include: increases in the allocation of County administrative overhead costs; the costs of a tent expansion at the PACC shelter; a cost increase related to the County's spay/neuter program; and the costs related to the implementation of a new County cat program.

ALLOCATION OF COUNTY ADMINISTRATIVE OVERHEAD COSTS

In October 2013, City staff was informed that County administrative overhead costs would be billed to the PACC effective July 1, 2013 and these costs would be included in the PACC expenses billed to the City. This notification occurred well into the City's 2014 fiscal year and the financial impact to the City was estimated at approximately \$200,000 annually. The County's administrative and support services are within the County's general fund, which is funded by property taxes. The administrative cost is not a direct operational expense of PACC and is not a reimbursable expense under Section 11 of the Intergovernmental Agreement.

SHELTER EXPANSION COSTS

On November 5, 2013 the Pima County Board of Supervisors (BOS) approved the County Administrator's recommendation to provide additional kennel capacity at the PACC. Part of the recommendation was to recover the costs of the expansion from the participating jurisdictions in FY 2015. The financial impact to the City is \$238,049.85 for the tent construction and \$94,809.65 for kennel and administrative costs in FY 2014. In future fiscal years the financial impact is estimated at \$138,200. According to County staff: (i) the County's general fund was initially used to construct and equip the tent facility; (ii) the equipment, concrete pad, and utilities installed for the tent shelter are planned to be part of the new shelter included in the County's November bond initiative; and (iii) the County intends to reuse the tent elsewhere in the County once it is removed from service at the PACC. The tent construction is a capital expenditure of the County and not an operating expense of the PACC and is not a reimbursable expense under Section 11 of the Intergovernmental Agreement.

COUNTY SPAY/NEUTER PROGRAM COSTS

In June 2014, City staff was informed that the County was increasing its spay/neuter program budget by \$380,000 in FY 2015. The financial impact to the City was estimated at \$247,000. The notification occurred after the City had adopted its FY 2015 budget.

Section 12 of the Intergovernmental Agreement states "This Agreement and all obligations upon the City or County arising therefrom shall be subject to any limitations of budget law or other applicable local law or regulations"; notification of the above items occurred after the City had adopted its budget for the fiscal year. Arizona Revised Statutes does not allow a city or town to revise its adopted budget to increase total expenditures. The City does not have budget contingency to cover additional expenditures; therefore, the billed amounts for the above items will not be paid to the County.

COUNTY TRAP/NEUTER/RETURN CAT PROGRAM

On August 5, 2014 the BOS adopted a County cat program. The Intergovernmental Agreement does not contemplate a Trap/Neuter/Return program in either the provision of services or in the reimbursable cost of enforcing the City Animal Control Ordinances. The program should not be conducted in the City limits.

City staff also received a Pima Animal Care Center Shelter Service Update and City Code Amendment Request dated July 30, 2014, just a few days before the action taken by the BOS. The letter requested that the City consider making the following changes.

- 1) Change Tucson Code Section 4-12, Disposition of Animals, to allow the Pima Animal Care Center (PACC) to release City pets to rescue organizations and healthy free roaming cats to organizations that practice humane Trap, Neuter, and Return (TNR) programs.

This request will be brought to the Mayor and Council for their consideration.

- 2) Change Tucson Code Section 4-99, Impoundment Time, Notice and Costs, to reduce the number of days that an impounded, licensed dog must be held by PACC from seven days to five days.

This request will be brought to the Mayor and Council for their consideration.

- 3) Favorably consider the County's proposed plan to amend Pima County Code Section 6.04.100.B, Pima County Animal Care Advisory Committee Membership, to remove the City of Tucson as a member of the Advisory Committee.

City staff recognizes the important role that is carried out by the Pima Animal Care Advisory Committee in advising County and City staff and the County BOS. Therefore, I urge the County to maintain the City's permanent membership on this committee. The City will appoint a reliable Tucson Police Department representative and a budget office representative to the Committee in order to make recommendations on enforcement and to prepare for budgetary changes affecting the City.

Mr. Foid K. Janes
Pima County Health Department
September 23, 2014
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The City and County have generally experienced a collaborative relationship regarding animal care and enforcement. However, the manner in which these recent changes were implemented by the County is a cause for concern. Thank you for your attention to these matters as they relate to the City.

Sincerely,



Joyce K. Garland
Program Director
Budget and Internal Audit

JG/rk

c: Mr. C.H. Huckelberry, County Administrator
Martha Durkin, Interim City Manager
Albert Elias, Assistant City Manager
Kelly Gottschalk, Assistant City Manager/CFO
Mike Rankin, City Attorney