



MEMORANDUM

Date: May 12, 2017

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

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

Re: **Animal Care and Enforcement Services Agreements**

Introduction

On June 6 and June 20, 2017, the Board of Supervisors will review proposed agreements to provide animal care and enforcement services to three local jurisdictions. The Board will review renewal agreements for the City of Tucson, the City of South Tucson and the Town of Oro Valley. The Towns of Marana and Sahuarita will not be renewing agreements with Pima County, have chosen to increase enforcement personnel within those jurisdictions, and chosen to contract with the Humane Society of Southern Arizona and area veterinarians for the provision of care.

The Board will also consider amendments to Pima County Code Title 6 – Animal Control Regulations at its July 11 meeting. These amendments are necessary to ensure fairness and fiscal responsibility to accommodate animals that might come from non-participating jurisdictions.

Background

Pima County is authorized by the State of Arizona to provide a variety of public health services related to the care of animals. Pima County regulates dogs running at large, serves as the rabies control authority, and ensures the vaccination against rabies and licensure of dogs over the age of three months.

In addition, the County may enter into cooperative agreements or intergovernmental agreements (IGAs) with local jurisdictions to act on behalf of those jurisdictions to enforce their local codes for the following:

- Licensing of dogs;
- Enforcement of spay/neuter, animal waste and excessive noise ordinances;
- Enforcement of animal cruelty and neglect ordinances and leash laws; and
- Sheltering and humane care of surrendered and stray animals, dangerous animals, diseased animals and biting animals.

Integral to these IGAs is the provision of humane sheltering, administration of adoption and rescue programs, provision of community outreach and education, and control of stray dog and feral cat populations.

The amount charged each jurisdiction is allocated based on percent of use in seven service areas: 1) licensing, 2) enforcement, 3) shelter services, 4) veterinary services, 5) communications and outreach, 6) community spay/neuter and 7) administrative costs. The percentages of the total budget for the PACC historically allocated by jurisdiction are as shown in the table below.

Jurisdiction	Percentage of Budget
Marana	2.46
Oro Valley	1.60
Sahuarita	1.05
South Tucson	1.13
Tucson	55.84
Unincorporated Pima County	38.28

During the first quarter of Fiscal Year 2017/18, staff will evaluate the method for appropriately allocating costs between the County and the three participating jurisdictions.

Historically, the IGAs with all five partner jurisdictions were financially open ended to provide a mechanism to ensure full cost recovery. As such, these IGAs were submitted for approval by the as no expense/no revenue contracts. By design, these agreements did not include expense projections; and the jurisdictions found them difficult to implement for fiscal planning purposes.

Over the past several years, Pima County has sought to more actively engage the jurisdictional partners to provide greater transparency and operational insight, as well as to demonstrate the County's adherence to nationally accepted, modern, humane animal welfare standards. The PACC Partners group was created to foster an enhanced level of communication and collaboration among the jurisdictions and the County regarding animal welfare and related issues. This group has met regularly for almost three years and consists of the City or Town Manager (or designee) from each of the jurisdictional partners and the County. A priority that emerged from these conversations is the need for transparency and predictability for the benefit of all parties.

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A concrete outcome of this process is that animal service agreements now include the delineation of financial projections, which allows the jurisdictions to appropriately plan and budget. As such, these agreements are recorded as revenue contracts.

Discussion

The three IGAs that will be before the Board for approval are the result of the increased collaboration between the administrative staff of the individual jurisdictions and Pima County.

The City of Tucson Mayor and Council approved an IGA at its meeting of May 9, 2017, and this agreement will be before the Board on June 20. The City of South Tucson and the Town of Oro Valley have each approved their IGAs, and both of these will be before the Board on June 6, 2017.

Previously, new or renegotiated contracts were approved last year with the City of Tucson, South Tucson and the Town of Oro Valley. At that time, the Towns of Marana and Sahuarita chose to request an extension to their existing agreements to allow for further study. Those Towns have decided to manage the care and control of animals independently of PACC.

Code Amendments

As noted above, Pima County provides animal care services to incorporated cities and town through IGAs. While the County relies heavily on input provided by both the PACC Advisory Committee and PACC Partners, ultimately the County is the management entity responsible for developing and implementing policies and procedures regarding animal care services. All operational aspects, and the extent to which services are provided and the level of care achieved, are decided by Pima County. A change in philosophy over the last few years regarding the care of animals has significantly increased the live release rate of animals and resulted in national recognition and enhanced philanthropic support.

Keeping animals alive, however, can be a more expensive model. In my November 18, 2014 memorandum to the Board, I stated, *"Much has been said about the County's notice of the increasing cost of animal care services due to our transition to an adoption animal care model. The County's correspondence and interaction with municipalities and jurisdictions regarding these costs is extensive and has occurred continuously."* While we have worked for several years with our partners that expressed concerns over rising costs, Pima County recognizes that each municipality has the opportunity to choose different or less costly options.

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Questions have been raised in the past regarding the County's obligation inside cities and towns, specifically regarding the public health and welfare functions of animal care. Simply, the County has no obligation to provide animal care services within incorporated jurisdictions if there is no IGA with the jurisdiction for such services.

If jurisdictions choose to provide their own animal care services, however, it is unfair to the taxpayers of unincorporated Pima County and those within participating jurisdictions that pay for access to PACC care to allow residents of non-participating communities access to PACC services at the same service rate. For this reason, I recommend the County adopt a rate schedule for unincorporated area residents and residents of an incorporated jurisdiction that contributes to the County's operating costs pursuant to an IGA, as well as a separate rate schedule for residents of incorporated jurisdictions without such an agreement.

On July 11, proposed amendments to Pima County Code 6.04 will be before the Board for consideration. These amendments codify the rate differential paid by residents of jurisdictions that do not have an IGA with Pima County. The proposed new fees for residents of non-IGA jurisdictions are \$60 per day for animal sheltering, \$120 per hour for veterinary care and \$120 for euthanasia.

Summary

Pima County has worked diligently over the past several years to significantly increase the quality of care provided at PACC. With the substantial completion of the new facility later this year, we will continue our efforts of constant improvement.

While Pima County has established a uniform, comprehensive animal services agreement that cycles on a common regular schedule with the Cities of Tucson and South Tucson and the Town of Oro Valley, Marana and Sahuarita have elected to not use PACC for services in their jurisdictions. Adoptions will remain available to all County residents, and the County will continue to coordinate rabies investigations in all communities. However, to ensure taxpayers in unincorporated Pima County and partner jurisdictions are not paying a disproportionate share of the cost of animal care, modifications to the County Code are required.

CHH/mjk

c: Jan Leshar, Chief Deputy County Administrator
Dr. Francisco Garcia, Assistant County Administrator