



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 7, 2015

Title: An Ordinance Amending Pima County Code 6.04.060 Pound Fees

Introduction/Background:

Pima County Code 6.04.060 itemizes pound fees the Pima Animal Care Center (PACC) may charge. The proposed ordinance would establish animal surrender fees for when an animal originates from a jurisdiction that does not have an animal sheltering agreement with the County. This item was tabled from the Board's May 19, 2015 meeting.

Discussion:

The County has statutory animal care responsibilities only in unincorporated Pima County and by intergovernmental agreements (IGAs) has also been providing animal care services to the five (5) local incorporated municipalities. Fiscal year-to-date, 59.5 percent of PACC animals came from these municipalities and only 40.5 percent came from unincorporated Pima County. Should these IGAs lapse or be terminated, PACC would need to generate revenue to be financially able to save and rehome pets from non IGA jurisdictions. The proposed fees are \$35 for those residents that can call ahead to make appointment thus assisting the Shelter in regulating its intake to staff and space resources, and conversely a \$70 fee for walk-ins. These fees are modeled after the Humane Society's fees. As outlined on the attached Additional Information and Comment Received Log, the Animal Care Advisory Committee voiced several concerns with the proposed fee believing they are not in the best interest of the animals and by motion at their March 19, 2015 meeting, opposed establishing surrender fees. The Log also records that, at an April 16, 2015 meeting with city and town senior leadership, County staff received several concerns related to the new fees. The Pima County Board of Health considered the proposal at their May 27, 2015 meeting. The Board of Health passed a motion to not support the ordinance. The Additional Information and Comment Received Log also identifies completion of the mandated public posting and advertising of the Ordinance and the new fees.

At its May 19, 2015 meeting, the Pima County Board of Supervisors tabled this item until the July 7, 2015 meeting. At that time, negotiations were ongoing with the City of Tucson to renew its animal services intergovernmental agreement (IGA) with Pima County.

The Pima County Board of Health considered the proposal at their May 27, 2015 meeting. The Board of Health passed a motion to not support the ordinance.

On June 2, 2015, the Board considered a draft of the IGA, provided staff direction and tabled action on the IGA to its June 16, 2015 meeting.

Conclusion:

The proposed ordinance would codify establishment of animal surrender fees to offset expenses associated with caring for animals from a jurisdiction that does not have an animal sheltering agreement with the County. The ordinance and new fees have been posted pursuant to State statutes. The Advisory Committee does not support the new fees and staff received several comments opposing the fees and no supporting comments.

Recommendation:

Staff recommends the Board adopt Ordinance 2015-21 Amending Pima County Code Title 6, Chapter 6.04 Section 6.04.060 to establish animal surrender fees for when an animal originates from a jurisdiction that does not have an animal sheltering agreement with the County.

Fiscal Impact:

Currently, staff provides over \$1.6 million dollars annually in animal sheltering services to more than 14,000 pets through intergovernmental agreements with the five jurisdictions. Assuming termination of all municipal IGAs and the related significant service demand reduction, staff projects the new fees might generate \$114,000 annually.

Board of Supervisor District: 1 2 3 4 5 All

Department: Health Telephone: 724-7776

Department Director Signature/Date: *lu* *SMR* *6-15-15*

Deputy County Administrator Signature/Date: *CDReheltbay* *6/17/15*

County Administrator Signature/Date: *CDReheltbay* *6/17/15*

Additional Information and Comment Received Log
Ordinance to Amend Pima County Code 6.04.060 – Pound Fees

Staff recommends it is in the best interest of the County to modify Pima County Code Section 6.04.060, Pound Fees, to charge a surrender fee to individuals surrendering animals to the Center, where the animal originates from a jurisdiction that does not have an animal sheltering agreement with the County, to offset the costs of caring for, rehabilitating and rehoming pets turned in to the Pima Animal Care Center.

On March 19, 2015, pursuant to ARS § 11-251.13, staff posted the draft ordinance on the Pima County Website.

On March 19, 2015, staff shared the proposed ordinance with cities' and towns' staff.

On March 19, 2015, staff presented the proposal to the Pima Animal Care Advisory Committee at its regularly scheduled public meeting.

During the discussion the Committee voiced the following concerns:

- Add a litter drop off fee
- This is a bad idea-if you require payment, people will not drop off, will not help dog sitting in the street, political maneuvering, people of Tucson do not want this, lot of animals suffering and volunteers may boycott serving at PACC.
- PACC is here to take care of animals, not turning people away.
- Chair will fight hard against this increase.
- Not giving City the wrong message that services will be provided free with or without an agreement.

Committee requested the language be clarified on who is to pay the new surrender fee.

Motion duly seconded that the Committee will not support an intake fee but will support a licensing fee increase. The motion carried (8-0), with Ms. Schwerin abstaining from the vote.

On March 23, 2015 met with City of Tucson representatives to answer questions.

On April 16, 2015, the County Administrator, two Deputy County Administrators and the Health Department Director briefed Ms. Martha Durkin, Interim City Manager, City of Tucson; Mr. Benny Young, City Manager, City of South Tucson; Mr. Greg Caton, Town Manager, Town of Oro Valley; Mr. Jamsheed Mehta, Deputy Town Manager, Town of Marana; and Ms. Teri Bankhead, Assistant to the Town Manager, Town of Sahuarita, on the proposed new fees. The managers and representative questioned the need for the ordinance. The County Administrator offered that should IGAs be terminated with jurisdictions, revenue would need to be created for serving pets from non-contracted jurisdictions. The ordinance is County due diligence in preparing for possible future needs.

The ordinance was advertised in the Daily Territorial on April 30 and May 1, 2015.

On May 19, 2015, the ordinance was initially considered by the Board. After discussion and input during the public hearing, the Board tabled the item until the July 7, 2015 meeting awaiting outcome of discussions with the City of Tucson regarding and animal services intergovernmental agreement between the County and the City.

On May 27, 2015, staff briefed the Board of Health on the proposed new fees. The Board considered the matter and moved and unanimously adopted a motion to support the Advisory Committee's position of non-support of the proposed ordinance. During discussion, the Board voiced the same concerns of pet abandonment in lieu of placing pets safely in PACC's care. The Board was also concerned of any utility in the ordinance and doubted it would achieve any positive objectives.

On June 2, 2015, the Board provided direction on the animal services intergovernmental agreement between Pima County and the City of Tucson.

The proposed animal service intergovernmental agreement between the County and the City of Tucson is scheduled to be considered by the Board of Supervisors at its June 16, 2015 meeting.