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AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Sean Whent
Interim Chief of Police

SUBJECT: Alternative Options for Placement
Of the Oakland Animal Services

DATE: December 20, 2013

City Administrator
Approval

Date

1-2-13

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council accept this informational report providing an overview of the Oakland Animal Services and to evaluate the potential for moving the Oakland Animal Services out of the Oakland Police Department (OPD) to another City department or entity

BACKGROUND/LEGISLATIVE HISTORY

Oakland Animal Services (OAS) provides public health and safety through public education and animal enforcement, adoption and rescue in the most humane means practical

Oakland Animal Services is a division within the Oakland Police Department (OPD) assigned under the Support Operations Division. OAS responds to animal-related calls for service that include helping animals that are abused, neglected, injured, and abandoned. OAS also investigates animal bites and regulates animal-related activities within the City.

OAS continues to improve the quality of services provided to the community. The following performance measures indicate this improvement when comparing 2013 to 2012:

- Increase in percentage of animals adopted out, redeemed or sent to rescue organizations
- Decrease in the percentage of animals euthanized
- Decrease in number of complaints to OAS
- A Yelp rating of four out of five stars. No municipal Bay Area shelter has a higher rating, although some have lower ratings.

The Office of the City Administrator requested an evaluation of the proper placement of OAS within the City of Oakland due to the specialized nature of the duties of the organization. This assessment includes budget implications, labor implications, comparable city assessments,

Item _____
Public Safety Committee
January 14, 2014

staffing and other viable options to effectively and efficiently operate the municipal animal services, as well as, a more thorough evaluation of operational issues and potential solutions

In 2005 (PSC - December 13, 2005) the City assessed the impact of moving OAS to another City department. The City Administrator at that time did not recommend moving the OAS, "because of the inherent difficulties in administering animal services and coordinating with OPD to respond to calls for service for a department outside of their authority."

As an open-intake facility, OAS takes in any animal from Oakland that needs shelter regardless of age, breed, temperament or health. The staff provides critical services to the community, sheltering thousands of animals each year, enforcing animal-related welfare laws, rescuing animals from the streets and abusive owners, promoting responsible pet ownership and humane care while improving public health and safety. In addition to the budgeted staff at OAS, over 130 volunteers provide assistance, care and companionship for the animals. The dedicated volunteers support the daily operation of OAS and are critical to its success.

The budget and staffing levels for OAS do not meet the need to maintain the voluntary industry level standards of care required for the number of animals taken in. This will not change if OAS moves to another City Department.

- Legal Requirements for the City of Oakland to provide animal services
 - The Oakland Municipal Code (OMC) Section 6.04.110 requires Animal Services to accept all animals surrendered to it.
 - The City of Oakland has historically relied on the guidelines included in the Hayden Act. This act, signed into law in 1998, required specific holding periods for animals and access by rescue organizations. Since 2009, the Hayden Act has been suspended until improved State funding becomes available.
 - OMC Section 6.04.210 requires that holding periods meet or exceed the requirements of the Hayden Act.
- Facility
 - The OAS was originally housed in a small facility on Ford Street and began as the city's municipal shelter, handling all of Oakland's animal-related issues. Though intended for temporary use, the Ford Street shelter served the city for almost 50 years until the much-needed construction of a new building was completed in the late 1990s. The creation of the larger, modern facility at 1101 29th Avenue began a gradual evolution of the City's approach to sheltering—from that of a "pound" to a center for animal services.

- The overall OAS facility of 22,168 square feet was built with the purpose of providing short-term housing for 110 dogs and 172 cats (282)
 - Since 2005, OAS consistently exceeds the above facility recommended housing capacity OAS averaged approximately 447 animals housed per month in 2013, exceeding the capacity for which the shelter was constructed In addition to this average inventory, six (6) animals are in foster care,
 - The OAS modified this short term housing to reasonably increase the facility capacity and accommodate a population in excess of its original capacity These modifications increased the holding capacity to approximately 402 animals This actual capacity varies based upon the size and demeanor of the animals present at any given time
- Current and Past Levels of Intake Provided by OAS

2011

	Dogs Accepted	Cats Accepted	Other Accepted	Total
Stray	2480	1675	210	4,365
Surrendered	753	397	81	1,231
Seized*	214	111	290	615
TOTAL	3447	2183	581	6,211

2012

	Dogs Accepted	Cats Accepted	Other Accepted	Total
Stray	2627	1618	213	4,458
Surrendered	927	371	221	1,519
Seized	166	20	29	215
TOTAL	3720	2009	463	6,192

2013**

	Dogs Accepted	Cats Accepted	Other Accepted	Total
Stray	2445	1355	174	3,974
Surrendered	704	367	157	1,228
Seized	155	7	3	165
TOTAL	3304	1729	334	5,367

*The number of animals seized varies greatly and is unusually high in 2011 due to specific individual seizures which resulted in a large number of animals.

**These numbers are current as of Dec 4, 2013.

- Current Staffing

Position	Budgeted (FTE)	Filled	Vacancies
Director	1	1	0
Animal Control Supervisor	1	1	0
Volunteer Coordinator	1	0	1
Veterinarian	1	5	5
Vet Technician	2	1	1
Animal Control Officer	12	8.5	3.5
Police Records Specialist	2	1	1
Animal Care Attendant	6	6 (12 part-time)	0
TOTAL	26	17.5	8.5

- UC Davis and HSUS Recommended Staffing levels

- UC Davis School of Veterinary Medicine and HSUS both recommend that each shelter animal receive 15 minutes minimum per day of one-on-one contact including dog socializing and walking. This is recognized as the national standard although not required by law. This does not include time for medical treatment. At our current animal population levels and current budgeted staffing level, OAS has the ability to provide approximately four (4) minutes per day per animal.

- Adopted Operations and Maintenance Budget

	<u>FY 12</u>	<u>FY 13</u>
○ Adopted Budget	\$126,815	\$126,815
○ Spent	<u>\$210,456</u>	<u>\$204,874</u>
○ Variance	+\$83,641	+\$78,059

The OAS routinely spends more for operations and maintenance than the City has budgeted.

- Other Sources and Levels of Funding

The following organizations provide additional funding to the OAS at varying levels to supplement the budgetary needs of OAS, although this is not guaranteed each year,

- Since 2011, OAS has participated in the annual Maddie's Adoption event OAS participation is not guaranteed
- The OAS receives funding from the East Bay SPCA
- OAS volunteers created the Friends of the Oakland Animal Shelter non-profit organization in 2007

ANALYSIS

Staff looked at the structure and oversight options for the animal shelter within the City to get to optimal effectiveness There are several options, including moving to another City department, contracting with Alameda County or contracting with a non-profit organization like the SPCA or a Humane Society The entire OAS, including the ACOs, could be moved to another City department, or the move could be bifurcated between leaving the animal enforcement (ACO) with OPD and moving the sheltering responsibilities only

In all options, except for the status quo, the following considerations must be made

- Staff would be required to meet and confer with labor IFPTE (21), SEIU (1021), CMEA and possibly OPOA
- The City would also possibly be required to change OMC sections
 - 6 04 170 Rabies Epidemic Reporting
 - 6 04 380 Rules and Regulations
 - 6 08 010 Definitions

These OMC sections refer to the OPD or Chief of Police as responsible for carrying out their mandates If the OAS were to report to another City department the appropriate department head would be responsible for these sections or other City Administrator designee

The main advantages of moving animal care services from OPD include increased ability for OPD to focus efforts on public safety and compliance Additionally, the public's perception of OAS services could improve if the services are not connected to a law enforcement agency It also separates animal enforcement actions from shelter services (rescue, adoption, etc)

Regardless of the placement of OAS, consideration should be given to expanding the OAS budget to increase staffing and resources if it remains as a City department Due to staffing shortages OPD loans a sergeant and an officer to assist with OAS This is not an efficient use of our law enforcement resources Animal Control Officers supplement the work normally completed by Animal Care Attendants which limits their time in the field An additional part time veterinarian is needed to supplement the need for care The OAS Director spends far too

much time with day to day operations and supervision instead of other management responsibilities, including increasing the number of animals rescued or adopted out. A shelter manager and an additional supervisor are required, though not currently budgeted, to manage day to day animal handling and provide supervision. The capacity to humanely move large numbers of animals through OAS by adoption or rescue is a priority that needs to be on the forefront of the Director's responsibilities. See proposed position charts.

Previously, the OAS had over hired the number of ACAs with the plan not to exceed total budgeted spending limits for that position. As many as sixteen ACAs were hired and the budgeted funds were spent before the end of the year. This resulted in ACOs performing the work of ACAs who were not available to work during the entire year as the budget had been exhausted. The number of ACAs has been reduced by OAS management through attrition and the OAS is operating within budget for that position without reducing coverage.

The capacity at OAS requires, at a minimum, an additional 8 part-time ACA positions (4.0 FTE). OAS currently needs these positions and the positions will be critical if OAS moves from OPD while the ACOs remain at OPD. In addition, an additional supervisor position would be required to take the place of the sworn supervisor currently assigned.

- Proposed Additional Positions (step 1 for estimate)

Position	Additional Required	Estimated Cost
Animal Control and Shelter Manager	1	\$122,375.30
Veterinarian	1	\$127,253.79
Animal Control Supervisor	1	\$87,398.33
ACA	8 (4 FTE)	\$157,983
Total	7 FTE	\$494,865.42

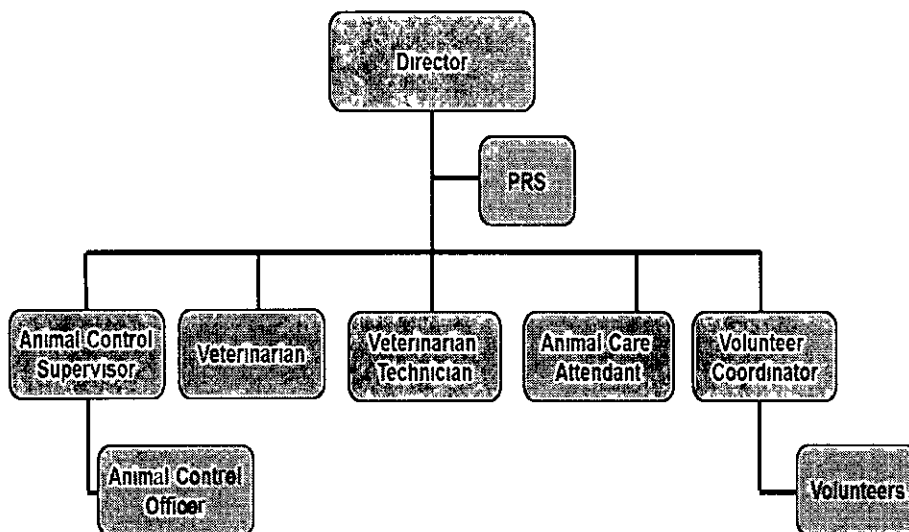
Staff researched eight (8) cities to determine the placement and staffing of their shelters.

City	Shelter Placement	Budget	Animals FY12-13	Staff
Los Angeles	Separate Department of City – Animal Services Department	\$19,876,733	61,632	Sworn 0 Non-sworn 265 ACO 64 Volunteers 3159
San Diego	County Run Program	\$15,700,000	25,328	Sworn 39 Non-sworn 85 ACO 0 Volunteers 500

San Jose	Separate Division of City – Animal Care & Services Division	\$6,900,000	5,333	Sworn 0 Non-sworn 68 ACO 17 Volunteers 2300
San Francisco	Separate Department of City – Department of Animal Care and Control	\$4,900,000	10,300	Sworn 12 Non-sworn 29 ACO 0 Volunteers Unk
Fresno	Central California SPCA (CCSPCA)	\$5,300,000	26,000	Sworn 2 Non-sworn 69 ACO 16 Volunteers 100
Long Beach	Department of Parks, Recreation and Marine – Animal Care Services	\$4,373,617	14,667	Sworn 0 Non-sworn 31 ACO 18 Volunteers 30
Anaheim	County Run Program – OC Animal Care	\$14,000,000	29,138	Sworn 0 Non-sworn 100 ACO 39 Volunteers 368
Oakland	Police Department – Animal Shelter	\$2,597,985	6192	Sworn 2 Non-sworn 13 ACO 12 Volunteers 131

As reflected in the table, Cities have worked with county services, placed animal services under the police department, assigned shelter responsibility to other city departments, and created a stand-alone department within the government. In most cases, the shelters report to the police department or operate as a stand-alone department within the city. Staff conducted a general assessment of the placement of the Animal Shelter within the City of Oakland organization.

- Current OAS Organizational Chart



Option 1: Animal Services Remain With OPD

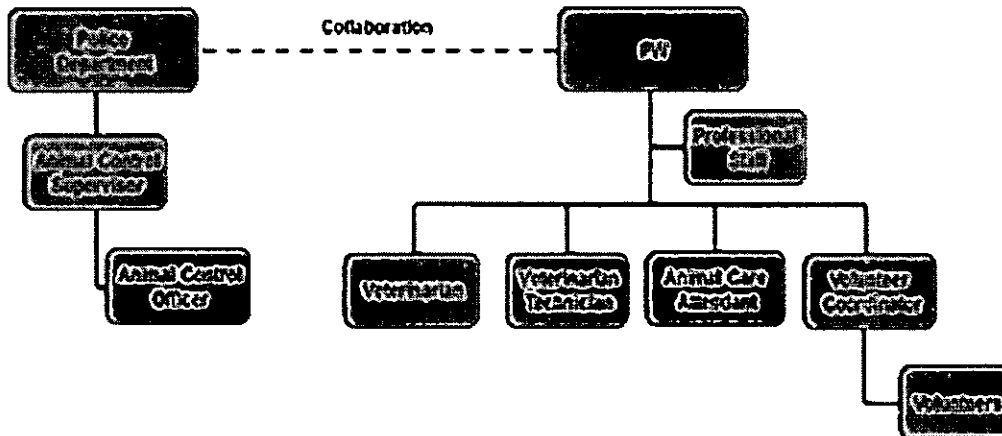
- No changes required
 - OPD can continue to manage, conduct, and coordinate animal related criminal investigations and assist in enforcing statute violations. A connected and cohesive OAS fosters better communication and performance. The structure, policies, and oversight are already in place.
 - Although no changes would be required, 8 additional ACAs, an additional part time veterinarian position, supervisor and a shelter manager position would greatly improve OAS operations and care for the animals housed there. The current staffing level is not adequate for the amount of animals that flow through the OAS and limits the amount of time the ACOs are able to provide field services.

Staffing issues and vacancies significantly affect OAS effectiveness. This is reflected by the amount of time Animal Care Attendants can provide care to housed animals. Keeping the OAS at OPD will provide consistency and stability while addressing the staffing challenges.

- The budget changes to this option if additional ACA's added would be estimated at \$157,983 (step 1)

Option 2: Reassign the Animal Care Services to another City Department

- All enforcement actions could either remain with OPD and the ACOs, or the entire OAS could be transitioned including the ACOs.
- The non-enforcement functions of the OAS could be transitioned under another City department. In this "turnkey" approach, the management of another City Department would take over the OAS responsibilities, facility and staffing with the exception of the Animal Control Officers.
- The following organizational chart shows the proposed Animal Shelter organizational structure under a separate department with ACOs' remaining at OPD.



- The budget changes to this option would be at a minimum approximately \$608,742.90

Position	Additional Required	Estimated Cost
Public Service Representatives	4 FTE	266,597.56
Animal Control Supervisor	1	\$87,398.33
ACA	8 (4 FTE)	\$157,983
Overhead	NA	96,764.01
Total	9 FTE	\$608,742.90

- Proposed Additional Positions (step 1 for estimate)*

Position	Additional Required	Estimated Cost
Animal Control and Shelter Manager	1	\$122,375.30
Veterinarian	1	\$127,253.79
Overhead	NA	47,179.93
Total	2 FTE	\$296,809.02

*These positions are needed for the effective operation of the OAS as noted previously in report

To pursue this option, the City would need to change the classification of the two Police Records Specialist (PRS) positions to an Administrative Assistant 1 (AA1). The AA1 and PRS positions have the same fully loaded costs. One PRS position, currently open, would be transferred to the other City department without being filled. Eight (8) additional part-time (4 FTE) ACA positions would be needed to perform the duties currently provided by the ACOs. An additional supervisor position may be required as well.

Further, staff would need to revise the following workforce specifications: Animal Care Attendant (PT), Director of Animal Services, Veterinarian, Veterinarian Technician, and Volunteer Program Specialist II. Administrative processes such as payroll would need to be transitioned. A training and transition plan would be needed to ensure that staff at all levels is aware of OAS requirements and the requirements of the department to which it is reassigned.

OAS staff would need to be trained on how their new department manages workflow. In addition, that new department may require additional staff to manage the increase to their work management systems. For example, the Public Works (PW) uses Cityworks to manage workflow and the Call Center is a central intake for requests for service. The OAS process for handling calls for service could remain the same if it was moved to another City department, however, if PW assumed the animal care services function, additional call center staff would be requested to more efficiently manage the increased volume of calls.

The current practice of limiting the amount of time answering the phone may not be possible with centralized service request intake. Based on current practice, it is estimated that the volume of service requests are approximately 1,200 per month or greater than 14,000 annually. Best practices call for 1 FTE for every 4,000 annual service requests. This would require approximately 4 Public Service Representatives.

Transferred staff would be subject to Department, Division or Central Services Overhead rates (approximately 18.9%) and would therefore increase the cost to the City with no added service benefit. In an environment of very limited funds, this significant cost needs to be evaluated against the real staffing needs of the OAS.

Moving the animal care services function of OAS to another City Department would allow OPD to focus upon crime and compliance issues. It also may allow for additional management oversight.

Due to the separation of Animal Control Officers and OAS staff, communication and responsiveness could diminish animal services to the community or cause confusion without a focused effort to mitigate this possibility. Although not insurmountable, the OPD ACO supervisor would need to maintain constant communication with the Animal Shelter Director.

Alternatively, the entire OAS, including the ACOs could be transitioned together. There is not a prohibition for the ACOs to report directly to another City department. This would leave the

OAS intact with no significant change to operations. It would, however, increase the overhead cost to a much greater degree if the services transfer to PWA.

Option 3 Transition the animal care services function of OAS into a Non-profit, partnering with the East Bay SPCA or Humane Society

- Transitioning the OAS into an independent, non-profit organization supported by the City is similar to creating a standalone department. The City would need to retain some oversight of the non-profit in the form of a contract or by amending OMC sections.
- The OPD would retain the ACO staff. Without retention of ACOs, the City would lose the ability to enforce laws and address dangerous animals in a timely manner.
- If this option is selected, it would require extensive follow-up and coordination to implement.
- It is anticipated that the costs associated with this option would increase by at least 11 ACOs and an ACO supervisor. The current budget would be required to minimally operate the OAS. These additional personnel costs would be approximately \$800,163. This would need extensive discussions and negotiations to ascertain the true costs of this option if selected as a direction to proceed.

Oakland may be well served by an experienced non-profit group running the shelter and its operations, while the function and staff of ACOs remain under OPD. The benefit of OPD retaining the ACO staff within its reporting structure ensures public safety.

The ACOs would respond to field calls and would bring animals to the shelter, while the care of the animal and its disposition becomes the responsibility of the shelter.

Operations shelter staff would become non-union, vetted, hired and managed by the non-profit, and responsible for all shelter operations and animal care. The City would no longer have any control over personnel, care of the animals or the shelter's policies.

There may be difficulty selecting this option because of the contracting out clause of the City Charter (Section 2.04.020 ¶ E-3) "Contracts for professional services or service-only shall not result in the loss of employment or salary by any person having permanent status in the competitive service."

The nonprofit would lease and operate the OAS facility to provide the best possible care for Oakland's animals.

Option 4 Contract with the Alameda County Shelter

The potential advantage is the City would not be required to dedicate any staff or resources to the OAS. The OPD could focus efforts on public safety and operations connected to public safety.

However, this option may not be viable. As cited above, the City Charter prevents contracting with outside entities which would result in a loss of employment or salary. Most of the animal care staff could not be reassigned to other City positions due to the specialized nature of their work.

The City would no longer control shelter costs and may incur significantly higher expenses with contracting services. The City loss of control over the quality of animal care and shelter services is an issue for the City to consider.

The challenges with separating shelter operations and animal control would be exacerbated when contracting with the county. The County has a separate communication system and different policies. Furthermore, the efficiency of animal control enforcement would be affected due to the distance of the facility in Dublin, if it was available for use. Currently the Dublin facility would not be able to accommodate the OAS animal population. The County would most likely need to utilize the current OAS facility and higher, more appropriate staffing levels, would be required. It is anticipated that the cost would significantly exceed the current budget.

This option has been discussed at a preliminary level with the County to ascertain the feasibility. A more in depth assessment and request to the County would be required to ascertain the actual increase in budget that would be required.

PUBLIC OUTREACH/INTEREST

This informational item did not require additional public outreach at this time other than the required posting on the City's website.

COORDINATION

The Budget Office, Office of City Attorney, the Office of the City Administrator and the PWA were consulted in preparation of this report.

COST IMPLICATIONS

The cost implications are unknown at this time for the options addressed and would be vetted further upon direction given by the City Administrator.

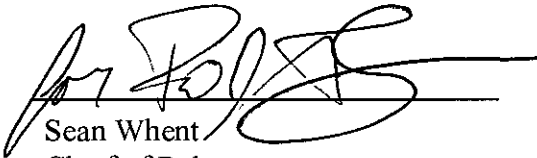
SUSTAINABLE OPPORTUNITIES

Economic: There are no economic interests impacted from the informational report

Environmental: There are no environmental opportunities identified in this report

Social Equity: The services provided by the OAS in these options will assist the community through improved services and enhanced police community relations

Respectfully submitted,



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