

Late Backup

Good evening Mayor, City Council members, staff, citizens,

I am speaking to Agenda item #22, which the Council will take action on in this meeting:

Approve an ordinance authorizing the City Manager to execute a license agreement with Austin Pets Alive (APA) permitting APA to occupy and operate the Town Lake Animal Center, located at 1156 West Cesar Chavez, Austin, Texas, for a fixed term, waiving Chapter 14-11 (Use of Right-of-Way), Article 1, Division 3, Sections 14-11-42 and 14-11-43 for purposes of the license agreement with APA, and repealing Ordinance No. 20111110-022.

My name is Dr. Kirk Lewis, I am a practicing small animal veterinarian in Austin, TX. I have provided low cost spay and neuter surgeries for the Austin area through Animal Trustees of Austin since 2001. I personally have spayed/neutered >70,000 pets. Since 1998, I have performed special low cost surgeries from mass removals to complicated orthopedic and spinal surgeries for clients' animals. My clients include Austin Animal Services, Austin Humane Society, Austin Pets Alive (APA), and other Austin area animal welfare groups in addition to individuals in the Austin area.

First, I do want to say that I concur with City Council that APA is the right animal welfare group to be the lead city partner. Their ability to recruit and motivate volunteers and mobilize resources is impressive. At the same time, the impact of all the other animal welfare groups and individuals at least equals APA's impact and that should not be overlooked. Also, **how** we sustain No-Kill is important and I want to address how the proposed City of Austin and APA licensing agreement is executed and propose changes to ensure **we achieve sustainability of Austin No-kill the right way: with the safety of Austin citizens and the humane treatment of animals in the forefront and uncompromised**. In fact, Dr. Ellen Jefferson verbally agreed that the published Association of Sheltered Veterinarians minimum standards should be adhered to and included in the licensing agreement on May 15, 2012 in the Public Health and Human Services Committee meeting. I also have discussed this with 23 other veterinarians that also agree with me.

I would like to talk **regarding the Operations and Management of the TLAC animal shelter by APA**. APA will be operating an animal shelter as defined by the Texas Health and Safety Code Chapter 823.

The licensing agreement should require that APA operate the shelter in compliance with all government regulations. The government regulations encompass required quarantine and separation of animals by species and gender. The Texas Health and Safety Code also require a regular veterinarian inspection and oversight by an Advisory Committee that must also include

a licensed veterinarian. The current Advisory Committee veterinarian is the Executive Director of APA. It is certainly not appropriate for the Executive Director of APA, who will run the APA! shelter, to also provide the shelter oversight. As an aside, I am certain this conflict of interest issue will be addressed upon approval of the licensing agreement.

Government regulations do not include minimum standards or measurable parameters to **ensure a clean, healthy, and safe shelter**. It is the norm that government regulations provide general and not specific guidance. For this reason, the Association for Shelter Veterinarians (ASV) established the minimum standards for shelter care of animals. **These ASV minimum standards should be incorporated in the proposed licensing agreement to establish clear and measurable definitions of acceptable clean, healthy and safe shelter conditions**. These minimum standards reduce the risk of disease spread, improve the adoptability of animals, and protect the community adopting animals from the shelter.

We can all agree that the TLAC facility is not the ideal animal shelter environment. The City Council invested tax payer money to establish the new shelter for this very reason. Due to the sub-standard environment of TLAC, **it is even more important to explicitly define a clean, healthy, and safe shelter**. It is fortunate that these ASV guidelines are available for reference.

Additionally, the APA board does not have shelter management experience and therefore **should look to the ASV for guiding them to do the right thing and they should also welcome oversight and consultation from the experienced City Staff managing Austin Animal Services (AAS)**. Furthermore, I also recommend contracting an expert shelter medicine veterinarian for the required periodic facility inspections. The inspecting veterinarian should be required to file the inspection report with the City Council for public record.

Within the ASV shelter guidelines, there is the discussion of the Capacity of Care. Capacity to provide care has limits for every organization, just as it does in a private home. I feel this is one of the most important points within the 65 page document. In animal welfare it is easy to over-commit due to the significance of the pet overpopulation issue. If APA overextends itself, it will lead to failure of care, substandard housing (must be addressed at TLAC), increase stress to animals and staff, increase disease risk, and negative animal interactions.

Public health and safety is another critical issue. Seventy-five percent of emerging infectious diseases that affect humans are of animal origin (Taylor, 2001). The impact of an unhealthful animal shelter on the citizens of the Austin area can be profound. The potential for zoonotic and communicable disease within an animal shelter is real. This reason further substantiates the need for “clean, healthful, and safe conditions” to be explicitly defined. We want to reduce the potential for a catastrophic event impacting community health.

In summary, I AGREE that APA is the right choice for the primary and lead animal welfare group to use the TLAC space. However, to sustain No-kill without compromising public health and safety and animal welfare I REQUEST the following are incorporated in the APA and City of Austin licensing agreement:

1. In regards to operating the TLAC facility in a clean, healthy, and safe manner: Clean, healthy and safe should be explicitly defined by incorporating the minimum standards in the ASV Guidelines for Standards of Care in Animal Shelters, including (but not limited to):
 - a. Primary Enclosure size, type, and maintenance guidelines.
 - b. Capacity of Care to address maximum capacity of each species based on available acceptable enclosures and resources to manage animals (staff and volunteer hours available for cleaning, feeding and enrichment as appropriate).
 - c. Rodent and pest control.
 - d. Vaccination tracking and maintenance as required for animal length of stay.
 - e. Emergency medical plan to address disease response to prevent/minimize potential outbreaks, pain management plan and nutrition plan.
 - f. Daily rounds recorded.
 - g. Behavioral evaluations and protocols in place to minimize stress and promote enrichment with a specific plan to address the increased stress and negative behavior impact of long term stays.
 - h. Staff training verification and plan to address animal related injuries.
2. In regards to operating the APA shelter in accordance to government regulations with the oversight of the Austin Animal Advisory committee, the Executive Director of APA should resign from this committee, since it is conflicting to run a shelter and provide its oversight.

Following are fellow licensed veterinarians that support my proposed licensing agreement changes:

Dr. Katie Luke, board member of ASV
Dr. Vijau Gudipally, DV, MS
Dr. Kim Thornton
Dr. Bill Watson
Dr. Howard Blatt
Dr Julie Newman
Erin Katribe, DVM
Linda Czisney, DVM
Rachel Hays, DVM
Kaytryn Lund, DVM
Mary Eagan DVM

Maranne Scavone, DVM
Patrick Keith, DVM
Susan Monger, DVM
Susan Culp, DVM
Maggie McDonald, DVM
Lara Shreve, DVM
Mary Howell, DVM
Roxanne Mitchell, DVM
Jillian Phillips, DVM
Bruce Hardesty, DVM
Jennifer Floyd, DVM
Beth Tawney, DVM

References:

Taylor, Latham *et al.*, Risk Factors for Human Disease Emergence. *Philos Trans R Soc Lan B Biol Sci* 2001; 356:983-9.

Newbury, Blinn, *et al.*, Guidelines for Standards of Care in Animal Shelters. *The Association of Shelter Veterinarians*. 2010 White Paper.

[Animal shelters are defined as: “ a facility that keeps or legally impounds stray, homeless, abandoned, or unwanted animals” per Chapter 823.001 of the Texas State Codes]