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Late Backup

MEMORANDUM

TO: Mayor and Council

FROM: Tawny Hammond, Chief Animal Services Officer

CC: Elaine Hart, Interim City Manager
Bert Lumbreras, Assistant City Manager

DATE: November 3, 2016

SUBJECT: Corrected attachment for Memo to Mayor and Council "Proposed Council Resolution amending Austin City Code Section 3-1-29 – Sterilization"

The Animal Services Office distributed a memo to Mayor and Council on Monday, Oct. 31 (Subject: Proposed Council Resolution amending Austin City Code Section 3-1-29 – Sterilization). The memo contained an outdated chart as Attachment 1; this communication is to provide you the correct chart.

The rest of the memo remains unchanged and is also included below for your convenience.

If you have any questions, please contact Chief Animal Services Officer, Tawny Hammond, at 512-978-0536 or tawny.hammond@austintexas.gov.

Corrected Attachment 1: Outline of sterilization services

Fiscal Year	2016 Dogs	2015 Dogs
Total Stray Dogs Impounded Per Year	7,187	7,450
Number of Stray Dogs Reclaimed by Owner	2,224	2,170
Number of Stray Dogs Reclaimed by Owner after 1st Impoundment INTACT	303	425

Number of Stray Dogs Reclaimed by Owner after 1st Impoundment INTACT W/ VOUCHER	99	0
Number of Stray Dogs Reclaimed by Owner after 1st Impoundment STERILIZED	1,796	1,863
Number of Stray Dogs impounded for at least the 2nd time	1,289	1,537
Number of dog sterilizations currently performed per year – IN SHELTER	3,879	4,156

* Data based on FY 2015 and 2016



MEMORANDUM

TO: Mayor and City Council

FROM: Tawny Hammond, Chief Animal Services Officer 

CC: Elaine Hart, Interim City Manager
Bert Lumbreras, Assistant City Manager

DATE: October 31, 2016

SUBJECT: Proposed Council Resolution amending Austin City Code Section 3-1-29 – Sterilization

During the regular meeting of the Austin City Council on November 3, 2016, the Austin City Council will consider a resolution to amend Section 3-1-29 of the City Code, pertaining to sterilization of impounded animals. The Animal Services Office (ASO) wanted to provide Council with additional data and information about the shelter's sterilization policies.

ASO staff previously had concerns about the interpretation of this code as mandatory sterilization after first impoundment. Mandatory sterilization would directly impact shelter capacity and could jeopardize the health and safety of the community, as well as Austin's classification as a No Kill City.

Existing Policy

When reclaiming an intact animal after first impoundment, owners are charged a \$100 impound fee, \$5/day for boarding and care, and a \$50 fee if they choose not to sterilize their animal or accept a voucher. ASO staff works with the owner and if it is determined that the owner would like to sterilize their animal, the owner has two options: have the animal sterilized by the shelter or make a deposit and receive a voucher for sterilization with Emancipet. If the owner elects the first option they are charged a \$35 flat rate; for the second option, they are required to pay a \$50 deposit which the owner gets back after the animal is sterilized with Emancipet.

City Code currently states, "The city manager or the manager of an animal shelter may sterilize an animal if it has been impounded two or more times." To avoid allegations of discriminatory application of the City Code, all animals are sterilized on second impoundment with the exception of animals that are sick, too old, and too young, regardless of the preference of the animal's owner. Approximately 20 to 30 dogs are subject to this policy annually.

Implications of Proposed City Code Change

The proposed draft resolution directs the City Manager to “report back to Council with an amendment to Section 3-1-29 of the City Code to state: “the City Manager or the manager of an animal shelter may sterilize an animal if it has been impounded one or more times””.

If this resolution is approved and the City Code is amended, ASO staff would review existing standard operating procedures (SOP) and outline a new internal procedure clarifying situations when Animal Services would or would not sterilize an animal. For example, the SOP will likely take into account the animal’s age or general health and permission given by the owner of the animal. If a pet owner declines to have their pet sterilized, the animal would be returned intact. Staff would follow the SOP in order to prevent negative impacts to the City’s No Kill Status. Creation of such procedures is under the authority of ASO to establish with the current code, but for second impoundment; the proposed code amendment will allow us to implement this procedure for first impoundment.

Because the proposed Code change does not create mandatory sterilization, staff does not foresee an impact to shelter space or shelter operations.

Budgetary Implications

Currently, when an owner comes to reclaim an intact animal after its first impoundment, ASO staff offers sterilization services either by appointment at the shelter, or through a voucher with Emancipet. The owner has the option to use those services or not. The proposed amendment to the City Code codifies this practice already in place at the Animal Shelter.

ASO believes the budgetary impacts will be negligible because ASO currently offers this service. As is the case now, some pet owners want to get their pet sterilized and use ASO services (in-shelter sterilization or voucher), and some choose not to. Any fiscal impact will be nominal enough ASO will be able to absorb the cost into the operating budget. Staff will continue to closely monitor costs; if additional funding is needed, staff will review the ASO annual budget and evaluate other potential funding sources for opportunities and present them to Council during the fiscal year 2017 – 2018 budget process.

It has been suggested to use the Adoption & Reclaim Spay/Neuter (S/N) Deposits to cover additional sterilizations that might occur should this Code amendment pass, however, doing so would quickly deplete reserves and leave a structurally imbalanced budget. Since this fund has to maintain a reserve to pay out repaid deposits, the account cannot be brought fully depleted.

Conclusion

The Austin Animal Shelter is the largest municipal animal shelter in Central Texas, and provides shelter to more than 18,000 animals annually. The shelter is an open-intake facility where lost and surrendered animals from all of Travis County in need of shelter are accepted regardless of age, health, species or breed. The goal is to place all adoptable animals in forever homes through adoptions, foster care or rescue partner groups, and to operate as a No Kill facility.

Staff is determined to live up to the expectations of the community outlined above. Based on guidance from the City's Law Department, ASO does not interpret the proposed Code Amendment as mandatory sterilization and does not believe the goals or mission of the animal shelter are in jeopardy. Staff supports the resolution as written.

While ASO can accommodate minimal fluctuations in the number of sterilizations or spay/neuter vouchers provided, a new funding source would need to be identified to accommodate a major change in operations.

Staff is available to answer questions about the proposed resolution and subsequent City Code amendment. Please contact Tawny Hammond at Tawny.Hammond@austintexas.gov or 512-978-0536.

Attachments:

Attachment 1: Outline of Sterilization Services (FY 2016)

Attachment 2: Results of Six-Month Spay/Neuter on First Impound Study at Austin Animal Center

[Corrected 11/3/2016]

Attachment 1: Outline of sterilization services

Fiscal Year	2016 Dogs	2015 Dogs
Total Stray Dogs Impounded Per Year	7,187	7,450
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Attachment 2: Results of Six-Month Spay/Neuter on First Impound Study at Austin Animal Center

September 22, 2016

Purpose: To find out how many stray, impounded dogs are reclaimed by owners who decline on the option to have their pet spayed or neutered prior to reclaim. Information gathered included age, sex and breed or type of dog as well as reasons owners declined to have their pet spayed or neutered.

During the six-month period (March 17 – September 9):

Impounded dogs: 3,847

Impounded for the first time and not spayed or neutered: 3,002

Percentage of first-time impounded dogs unsterilized: 78%

First-time impounded dogs spayed or neutered and then returned to owners: 407

First-time impounded dogs returned to owners not spayed or neutered: 209

Of 209 dogs released unsterilized:

- 94 declined to have their pet spayed or neutered
- 24 were declined due to medical problems by AAC vets
- 16 reclaimed by paying a spay/neuter deposit for later surgery
- 63 were returned with Emancipet vouchers for later sterilization
- The rest were either reclaimed by rescue or had owners who said dog was already spayed

Of the unsterilized dogs returned to owners intact, seven returned on second impound.

Of the 94 owners who declined spay/neuter:

- 34% stated they planned to breed their pet
- 18% said they wanted their pet back today
- 15% said they believed spay/neuter is unhealthy for their pet
- 14% said they believe spay/neuter will change their pet's personality
- 10% said they don't believe in sterilization
- 10% said their pet is elderly or has a medical condition

Of the total number of dogs returned unsterilized, approximately 30% were identified by their owners as breeds or mixes who would be at risk in the shelter.

Estimate of total number of owners declining spay and neuter in a year: approximately 200

Estimate of total number of owners who decline and plan to breed: approximately 70