

1 **RESOLUTION NO.**

2 **WHEREAS**, Austin leads the U.S. in the No-Kill animal sheltering
3 movement with its founding partner Austin Pets Alive! (APA!); and

4 **WHEREAS**, the City Council and the Austin community have reiterated a
5 commitment to No-Kill three times since adoption of the first No-Kill
6 Implementation Plan on March 11, 2010, by Resolution No. 20100311-021; and

7 **WHEREAS**, by virtue of Council’s commitment and by stretching the live-
8 outcome rate goal from 90 percent to 95 percent in Resolution No. 20190328-034,
9 Austin is the national model for No-Kill implementation; and

10 **WHEREAS**, a University of Denver study released in 2017 concluded that
11 Austin’s successful No-Kill policies burnish Austin’s brand and are an economic
12 boon to the city, totaling an estimated \$157 million between adoption of the policy
13 in 2010 through 2016, primarily by drawing companies to locate here and invest;
14 and

15 **WHEREAS**, as former Animal Services Director Lee Ann Shenefiel
16 acknowledged in 2017, “The city of Austin is recognized nationally as a trendsetter
17 in animal welfare, and this [Denver] report confirms that progressive animal
18 sheltering and field services policies and programs have benefits to the entire
19 community. Sustaining this level of lifesaving is truly a collaboration between
20 local government; local non-profits; volunteers; and residents who choose
21 adoption, foster pets in need, donate, share social media and support progressive
22 animal welfare programs and policies”; and

23 **WHEREAS**, like all progressive movements, No-Kill is clearly achieved
24 not in isolation or purely through policy, but through robust community
25 partnerships with committed organizations and dedicated volunteers; and

26 **WHEREAS**, Austin is served in this way by multiple partnerships with
27 compassionate animal service organizations and volunteer groups such as
28 Emancipet, Final Frontier, Austin Humane Society, Austin Lost and Found Pets,
29 and the Orange Dot Crew, as well as with the national leader on No-Kill
30 implementation, APA!; and

31 **WHEREAS**, these partnerships continue to benefit Austin residents and the
32 City’s Animal Services Department by providing essential, ongoing assistance
33 with spaying and neutering services, animal sheltering, emergency medical and
34 neonatal care, as well as extensive and growing foster and training programs to
35 serve Austin’s families; and

36 **WHEREAS**, the City’s No Kill Implementation Plan included partnering
37 with a non-profit to operate out of the Town Lake Animal Center (TLAC); and

38 **WHEREAS**, on November 10, 2011, the Council first authorized a
39 temporary license agreement for the operation of TLAC with APA! (herein
40 referred to as the “Agreement with APA!”), the City’s choice for a non-profit
41 partner based on selection criteria adopted in Resolution No. 20110623-096; and

42 **WHEREAS**, the Agreement with APA! has persisted with support for
43 extensions from the Council in consideration for the valued partnership and benefit
44 of APA!’s operation of the TLAC facility; and

45 **WHEREAS**, the Agreement with APA! to operate at TLAC has been
46 amended several times since 2011 to renew the partnership, and has been extended

47 multiple times through the pandemic, with the current extension expiring
48 November 23, 2021; and

49 **WHEREAS**, after several months of negotiations, City staff expressed the
50 need for Council direction on amendments that have been requested by APA!; and

51 **WHEREAS**, those amendments requested by APA! are due to the evolving
52 nature of animal sheltering, the opportunities to expand our regional networks, as
53 well as to the increased need in Austin for a wide variety of adoptable pets; and

54 **WHEREAS**, the pandemic has resulted in several innovations, including
55 expanded foster care through Austin Animal Center (AAC) as well as through
56 partner organizations for stray and surrendered animals, and increased reliance on
57 virtual engagement with individuals and families looking to adopt pets; and

58 **WHEREAS**, COVID-19 and staffing issues continue to restrict AAC intake
59 numbers while increasing foster care numbers, which has resulted in significant
60 reductions in animal intake at the AAC in comparison with pre-COVID numbers in
61 2019; and

62 **WHEREAS**, considering both the pandemic restraints as well as the
63 innovations, AAC will clearly require the continued support of community
64 partnerships to achieve the high live outcome rate of 95 percent or better; and

65 **WHEREAS**, the Agreement with APA! stipulates two requirements that
66 should be amended in order to serve both the Austin community and our primary
67 No-Kill partner going forward; and

68 **WHEREAS**, those amendments include a limit on APA!'s service at TLAC
69 to just the five counties of Travis, Hays, Williamson, Caldwell, and Bastrop, and

70 requiring APA! to adhere to a minimum intake from AAC of 12% or 3,000
71 animals, whichever is greater, per year; and

72 **WHEREAS**, the significant decrease in intake numbers at the AAC
73 demonstrates the need to express the APA! minimum animal intake requirement
74 not in absolute numbers but rather solely in percentages due to the intake
75 fluctuations that are likely to continue; and

76 **WHEREAS**, the license agreement should maintain the current language
77 defining the types of animals that APA! should take in from the AAC as ones that
78 are at high risk for euthanasia; and

79 **WHEREAS**, if APA! fulfills the intake percentage requirement, and fulfills
80 Austin's No-Kill policy of saving the animals that the City of Austin is unable to
81 save, it furthers Austin's goals, and reaffirms Austin's commitment to No-Kill;
82 and

83 **WHEREAS**, if geographic restraints are removed, APA! is able to increase
84 Austin's potential No-Kill animal sheltering partners across the Central Texas
85 region and beyond; and

86 **WHEREAS**, the geographic expansion of No-Kill counties and cities helps
87 to increase the supply and variety of adoptable pets for Austinites, while expanding
88 the potential for community partnerships that sustain the compassionate No-Kill
89 policy Austin has achieved; **NOW THEREFORE**,

90 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

91 Expanding the geographic area that Austin Pets Alive! may source animals
92 from will support the City's No Kill animal sheltering policy by enabling APA's

93 continued contributions to Austin Animal Center’s live outcome rate through their
94 operation of the TLAC as an animal adoption center.

95 **BE IT FURTHER RESOLVED:**

96 City Council intends for this Resolution to supersede Resolution No.
97 20110623-096 to the extent that there is conflict with the criteria set out for
98 selecting the non-profit partner to operate the TLAC facility.

99 **BE IT FURTHER RESOLVED:**

100 The City Manager is directed to:

- 101 1. Negotiate a minimum intake requirement with APA! in all future
102 extensions and agreements regarding the operation of TLAC that
103 includes:
 - 104 a. A specific percentage of AAC’s animal intake that supports
105 Animal Services operations; and
 - 106 b. A requirement that APA! provide monthly reports to both the
107 Animal Services Department and the Animal Advisory
108 Commission on all animal intake at TLAC.
- 109 2. Negotiate a term that requires the animals APA! pulls to be vulnerable
110 animals at high risk for euthanasia and defines “high risk for euthanasia”
111 to include, a minimum:
 - 112 a. Treatable “parvo puppies” and “bottle kittens” on the At-Risk List;
 - 113 b. Small dogs on the At-Risk List;
 - 114 c. At least five (5) behaviorally challenged large dogs each month.

115

116 3. Remove Section 8.1 of the Agreement with APA!, and omit the inclusion
117 of a similar term in any future extensions and agreements with APA!,
118 limiting the animals that may be housed at the TLAC facility only if
119 APA! agrees to meet newly negotiated minimum intake requirements and
120 reporting requirements.

121 **BE IT FURTHER RESOLVED:**

122 City Council authorizes APA! to accept animals from outside Bastrop,
123 Caldwell, Hays, Travis, or Williamson Counties in addition to those sourced by
124 Austin Animal Center, provided that APA! meets the minimum intake and
125 reporting requirements as set forth in the current temporary license agreement to
126 operate at TLAC.

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128 **ADOPTED:** _____, 2021 **ATTEST:** _____

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Jannette S. Goodall
City Clerk

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