

**RESOLUTION NO. 20211104-038**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

**BE IT FURTHER RESOLVED:**

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

**BE IT FURTHER RESOLVED:**

The City Manager is directed to:

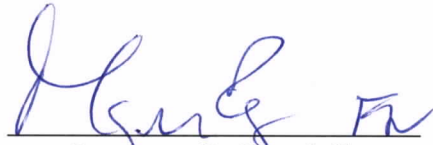
1. Negotiate a minimum intake requirement with APA! in all future extensions and agreements regarding the operation of TLAC that includes:
  - a. A specific percentage of AAC's animal intake that supports Animal Services operations; and
  - b. A requirement that APA! provide monthly reports to both the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

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

**BE IT FURTHER RESOLVED:**

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

**ADOPTED:** November 4, 2021 **ATTEST:**



Jannette S. Goodall  
City Clerk