

# MARIN GENERAL SERVICES AUTHORITY

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## MEMORANDUM

**DATE:** January 8, 2015  
**TO:** MGSA Board of Directors  
**FROM:** Paul Berlant, Executive Officer  
**SUBJECT:** AGENDA ITEM G: County-wide Animal Control Program

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### Recommendation

Adopt a resolution and approve a Memorandum of Understanding with Marin County for management of the county-wide Animal Control program.

### Background

In 1979 the County of Marin and the cities/towns entered into Joint Powers Agreements whereby the County agreed to perform animal control services for the towns/cities, which were and continue to be performed under contract by the Marin Humane Society (MHS). The services are partially funded by fees related to animal control services and programs. The agreements also stipulated a cost sharing formula and performance standards. The JPA was amended in 1990 at which time terms relating to costs and city contributions and levels of animal control services were modified. The original JPA, as amended, still applies today and the County continues to contract with MHS for animal control services.

The County agreements with MHS have been a multi-year contract, the last of which went into effect July 1, 2012, and has a term of three years. Thus, a contract extension beyond June 30, 2015 will need to be negotiated in early 2015. Staff from the County and two or three city/town representatives typically have negotiated the contract extensions.

### Proposed Animal Control MOU with Marin County

In September 2014, the MGSA Board authorized notification to MGSA members that MGSA staff would pursue management of the Animal Control program, including negotiating an agreement to accomplish the change. Notification was made to the members and the negotiations with the County have resulted in the attached MOU. The Board of Supervisors is scheduled to consider the MOU on January 13 or 27, 2015.

### Roles of MGSA and the County under the MOU

Under the draft MOU, the MGSA would assume the following duties from the County:

- Budget preparation;
- Develop Cost share allocations for member cities and towns;
- Coordinate responses to inquiries from the public and/or from member cities and towns;
- Coordinate JPA communications; and
- Lead contract negotiations.

The County, due to its economy of scale, will continue to perform certain financial responsibilities, including:

- Accounts Payable/Accounts Receivable functions, including invoicing member cities and towns; handle Marin Humane Society billing and payments; and Central Collections;
- Invoicing for the Injured Animal Program; and
- Continuing the relationship with member towns and cities as regards to the agreements between them and in the consideration and adoption of any ordinance amendments.

The County will compensate MGSA for the administrative costs of managing the program by sharing one-half of its administrative cost recovery per its contract with the MHS. This cost recovery has been calculated on the basis of one-quarter of the full cost of a County Administrative Analyst III position. For the term of this agreement, \$20,000 will be remitted to MGSA each fiscal year. For the period of January through June, 2015, \$10,000 will be remitted for MGSA's new responsibilities. Since the County is sharing the existing administrative cost recovery, there is no increase in cost to the Animal Services program under this arrangement.

City Managers from the cities of Belvedere and Corte Madera have volunteered to participate in the new contract negotiations with the MHS. Negotiations will begin in January, upon approval of the MOU.

#### Notification to and Response from MGSA Members

As noted above, staff notified all MGSA members in September of this proposed new program for MGSA. The notice advised members that the MGSA and the County will negotiate a simple agreement whereby some of the County's duties in management of the Animal Control program will be taken on by the MGSA Executive Officer. In turn, the MGSA will be compensated for its costs from Animal Control program fees and city/town/County contributions. The notice stated that the agreement will be considered by the MGSA Board at its January 8, 2015 meeting and at a subsequent date by the County Board of Supervisors. The members were told that they may direct comments or feedback regarding this change to me by December 18, 2014 so as to be included in the Board's agenda packet or attend the January 8, 2015 meeting. To date, I have received only one question regarding the potential for added costs to the towns and cities due to this change. My response was that no added costs are expected.

#### Conclusion

County and MGSA staff have developed the attached MOU which outlines the transfer of responsibilities for the Animal Control program and compensation to MGSA for this new responsibility. The County Counsel's Office and David Byers have reviewed the MOU and have approved it as to form. If the Board approves execution of the MOU, the Board of Supervisors will review it later in January. Once executed, staff will work with the County staff and city/town representatives to negotiate a new or extended agreement with the Marin Humane Society, which will continue their services beyond June 30, 2015.

#### Attachments

Notice to MGSA Members  
Draft Resolution Authorizing Execution of the MOU  
Draft Memorandum of Understanding