

## **Animal Care And Control Department**

Report of the 1999-2000 San Francisco Civil Grand Jury

### **SUMMARY**

The Civil Grand Jury finds that the Animal Care and Control Department (ACCD) is doing an excellent job of carrying out their departmental duties. We commend the ACCD for doing a fine job.

The Civil Grand Jury recommends that the responsibility for administration of the dog license program be transferred from the Tax Collector to the ACCD.

Previous reviews of the ACCD have also made this recommendation, and we find that policy makers have yet to seriously review and implement it. Our review indicates that approximately only 20 percent of all dogs in San Francisco may be licensed. Under the current administrative situation, the Tax Collector cannot dedicate any more personnel to licensing functions. Therefore, the current low rate of licensing is unlikely to improve unless some action is taken. Transfer would give the dog license program not only the chance to become self-supporting, thus reducing impact to the General Fund, but also may generate enough income to fund other ACCD activities and allow the Tax Collector's Office to increase revenue through attention to other revenue functions. Transfer also would allow for better outreach and education opportunities for ACCD. While the transfer might require some initial "seed money", experiences of other Bay Area cities as noted by the Budget Analyst provide strong evidence that transfer of the dog licensing program can result in it being self-supporting.

### **BACKGROUND**

As noted in the Mayor's proposed budget 1999-2000, the mission of the ACCD is to "...effectively, courteously and responsively enforce all animal welfare and control laws and ordinances and to manage and care for the City's stray, abandoned and mistreated animal population."

The ACCD was created July 1, 1989, to take over responsibilities previously under contract by the Society for the Prevention of Cruelty to Animals (SPCA). The ACCD is one of the departments under the umbrella of the Administrative Services Department. The Director of ACCD sits as a non-voting member on the Commission of Animal Control and Welfare; the Commission is an advisory body primarily to the Mayor, Board of Supervisors, and City Administrator regarding the County's objectives with respect to animal control and welfare.

The ACCD is affected by portions of the San Francisco Health, Park, Police, and Business and Tax Regulation Code regulations and state law (see the ACCD web page, [www.sfgov.org/acc](http://www.sfgov.org/acc)); California State Food and Agriculture Code 31105 designates county responsibilities and California Health Code Sections 41.4 and 41.5 create and describe the main ACCD responsibilities. The ACCD shares a common purpose with the SPCA and has an agreement with the SPCA to achieve that purpose (information available on the ACCD web page).

Several aspects of ACCD responsibilities were previously reviewed by the Budget Analyst for the Board of Supervisors (in a Management Audit of the Tax Collector's

Office, dated April 1995) and by the 1996-1997 Civil Grand Jury. The 1995 Budget Analyst Audit recommended that the dog license program be transferred from the Tax Collector's Office to the ACCD, that dog license fee levels be increased, and that veterinarians be required to submit information to the licensing authority whenever a dog is vaccinated for rabies. The 1996-1997 Civil Grand Jury Report reviewed and reaffirmed these recommendations. Of these recommendations, the only one not yet implemented is the transfer of dog licensing responsibilities from the Tax Collector to the ACCD.

## METHODOLOGY

This year's Civil Grand Jury toured the ACCD facilities and interviewed ACCD and Tax Collector personnel. Other California and out-of-state animal care facilities were contacted regarding live release rates. We also interviewed a dog advocacy group and a limited number of the general public who are dog guardian/owners.

## RESULTS OF INVESTIGATION

### 1. General

We were impressed with the professional attitude of ACCD personnel and the appearance of facilities. Of particular note was the number of volunteers observed walking dogs and showing obvious concern and kindness to the animals. We observed the ACCD veterinarian performing surgery and noted evident kindness and gentle handling in the treatment of animals.

### 2. Live-Release Rate

Unlike the SPCA, the ACCD cannot turn away animals brought to it, even if animals are clearly beyond saving. The ACCD live-release rate (i.e., those animals for which homes are found and, therefore, not euthanized) has been increasing for the past several years, from approximately 52 percent in fiscal year 1997-1998 to approximately 71 percent currently. The ACCD expects that its goal next year will be a release rate of 75 percent. Review by the Civil Grand Jury of similar departments elsewhere in California, Ohio and Missouri indicate these other departments have a live-release rate closer to 40 percent, and in some rural counties less than 15 percent, which we believe is a clear indication of the well-run nature of the San Francisco ACCD.

### 3. Dog License Program

The San Francisco Tax Collector currently has responsibility for administration of the dog-licensing program. The 1995 Budget Analyst Report and the 1996-1997 Civil Grand Jury Report both previously recommended that responsibility of the program be transferred to the ACCD. Though no major shortcomings were observed in the Tax Collector's administration of the program, both the Budget Analyst and 1996-1997 Civil Grand Jury concluded that improvements in program implementation would result as a result of the transfer. However, to date this transfer has not occurred.

The major reason to recommend transfer is the estimated relatively low rate of dog licensing in San Francisco. The statistics are not clear since the Tax Collector does not develop, nor are they required to develop, statistics regarding the total number of dogs licensed in San Francisco. The Tax Collector's Office estimates that approximately 4,000 to 5,000 licenses are sold each year. However, this number is approximate as

licenses may be bought to apply for one, two or three years. Also, the amount of money derived from license sales is known, but license fees vary depending upon whether or not the dog is neutered, whether or not the guardian/owner is a senior citizen, and whether or not a 1-, 2-, or 3-year license is purchased. Therefore, while the total amount of money derived from license sales in a fiscal year is known, one cannot directly back-calculate to determine the number of licenses.

Also, there are no definite statistics regarding the total number of dogs in San Francisco. In 1995, the Budget Analyst reported a licensing rate of approximately 6.8 percent, derived from an assumption that approximately 177,000 dogs are present in San Francisco, based on national household statistics as applied to San Francisco, and an estimate of 12,000 licensed dogs. The Budget Analyst noted that the total number of dogs might be lower due to the relatively higher number of renters in San Francisco as compared to the national average, assuming that renters have relatively fewer dogs than household owners. Discussions with the ACCD in preparation for this report indicate that there are perhaps 85,000 to 125,000 dogs in San Francisco. Assuming that not much has changed in the last five years such that current estimates also apply to that time period, then the number of dogs licensed was somewhere between 10 to 14 percent.

Section 41.15 of the Health Code requires that a dog license be obtained. Section 41.18 of the Health Code was instituted several years ago (after the Budget Analyst and 1996-1997 Civil Grand Jury Reports were issued) to require all San Francisco veterinarians to fill out a form and notify the licensing authority whenever any dog was vaccinated for rabies. (Currently, a dog license is not required in order to get a dog vaccinated for rabies, but verification of rabies vaccination is required in order to obtain a dog license.) This information is then used by the licensing authority (currently the Tax Collector) to determine whether or not the vaccinated animal had a license; if not, notification is sent to the household requesting that a license be obtained. Discussions with the ACCD in preparation for this report indicate that perhaps 20,000 dogs are currently licensed. This would be an increase of approximately 8,000 licensed dogs from 1995, which could possibly be attributed to the vaccination notification program. However, assuming that only 20,000 dogs out of a total of 85,000 to 125,000 dogs are licensed, current licensing rates can be estimated at somewhere between 15 to 24 percent. While this percent is higher than in 1995, the rate of dog licensing remains regrettably low.

The Budget Analyst, the 1996-1997 Civil Grand Jury, and this Civil Grand Jury believe that the percentage of dogs licensed would increase if the program were to be run by the ACCD. The benefits of a high rate of dog licensing include:

the ability to identify a guardian/owner if a dog is found; assurance of a large percentage of the dog population having a rabies shot (benefit for general community health); in the unfortunate event of a dog bite, greater assurance of immediate confirmation that rabies is not involved; better statistics on dog populations and dog guardian/owner populations, which would allow for better planning and development of public policy; better education and outreach opportunities; increased revenues, which would not only make the dog license program self-funding but ensure that animal populations continue to be served 24 hours a day, seven days a week; a probable reduction in use of General Fund monies by ACCD. The Tax Collector currently uses

temporary workers to perform dog-licensing tasks. The Tax Collector notes that increases to the current level of dog licensing have actually made it harder for the Tax Collector Office to operate the program. All monies derived from license sales go to fund the ACCD; therefore, an increase in the number of dog licenses does not directly benefit the Tax Collector's Office, but does further strain its resources. Transfer of the dog licensing program to ACCD would allow Tax Collector Office personnel to concentrate on other priorities, such as collection of delinquent revenue or the Taxpayer Assistance Unit. While we have not performed a detailed review, it could possibly be argued that, if properly administered, revenue obtained from the time spent on collection of delinquent revenue might exceed that which is now obtained from time spent on the dog license program.

If administration of the licensing program were transferred to the ACCD and more dogs licensed, more revenue would be provided to the ACCD. Such a program would require additional staff; however, ACCD management believes that additional licensing revenue would eventually not only cover the added operational costs, but also help fund other ACCD services currently subsidized by the General Fund, thus reducing the total amount of funding required from the General Fund.

The ACCD is funded by a combination of General Fund monies and the City's Animal Welfare Fund. In accordance with the requirements of Section 10.117-87 of the Administrative Code, which establishes the Animal Control and Welfare Fund, all fees and donations collected by the ACCD for the sale, redemption or surrender of impounded animals and all fees collected by the Tax Collector for dog licenses, dog kennel licenses and cat registrations are placed in the Fund. All ACCD expenditures in excess of the amount in the Animal Welfare Fund are supported by the General Fund. Approximately \$200,000 is generated for the Animal Welfare Fund each year. ACCD annual operating expenses are approximately \$2.5 million, most of which therefore comes from the General Fund. The ACCD estimates that administration of a license program would require an additional three persons. The cost of such a program, including salaries, benefits, and office supplies, is estimated to be approximately \$190,000 dollars.

Two new California laws may further significantly increase the animal population sheltered at ACCD facilities. State Assembly Bill (AB) 1856 requires all shelters and rescue groups in counties over 100,000 population to spay or neuter dogs and cats before adoption. The requirements of AB 1856 went into effect this year and will end in 2006. State Senate Bill (SB) 1785 generally requires that all impounded animals be held for a minimum of six business days instead of 72 hours. Also, guardian/owner-relinquished pets must be held for two business days until July 1, 2001, after which they must be held for the same length of time as other animals. Possible over-crowding and costs associated with SB 1785's mandates were a source of major opposition by shelters; however, the California Constitution requires the state to reimburse local agencies for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1 Million statewide and other procedures for claims whose statewide costs exceed \$1 Million. SB 1785 provides that, if the Commission on State Mandates determines that the bill contains costs

mandated by the State, reimbursement for those costs shall be made pursuant to these statutory provisions.

The ACCD currently handles approximately 20,000 animals each year and expects that AB 1856 and SB 1785 will increase the daily animal population by approximately 35 percent, to approximately 27,000 animals yearly. In that ACCD responsibilities may be increasing, it only makes sense that, to the extent possible, the ACCD be allowed to derive more of its budget from its own activities rather than rely on the General Fund. As the Budget Analyst noted, the ACCD has better access to dog guardian/owners and more expertise with animals than the Tax Collector's Office.

Also as the Budget Analyst noted, experience with similar program funding in other Bay Area programs (San Mateo, as well as South Bay - a combined effort by San Jose, Milpitas and Santa Clara) there is a strong expectation that the number of licensed dogs should rise substantially. In response to the 1996-1997 Civil Grand Jury Report, the ACCD noted that sufficient background work had been done to analyze the cost and benefits of such a transfer. The ACCD noted that, with only a slight increase in a General Fund subsidy for the first year or so, ACCD believed the dog-licensing program would be fully self-supporting in a very short time (i.e., the program would not supply the full ACCD budget, but would generate revenue to cover its own costs). The ACCD believed this so firmly that the ACCD did not believe that a trial period of transfer was necessary.

Given the conclusion from several different perspectives (ACCD, Civil Grand Jury and Budget Analyst) that increased revenues would result, and use of General Fund monies would decrease, we find it disheartening that policy makers have not yet given the transfer serious consideration and a chance to succeed. In response to the Budget Analyst Report, the Tax Collector's Office noted that such a transfer would allow personnel to concentrate on other duties such as collections or the Taxpayer Assistance Unit.

As a final note, during our investigations we received comments from dog guardian/owners that the dog licensing forms should be made as accessible as possible. Currently, dog license forms may only be obtained either at the Tax Collector or ACCD offices. In addition to maintaining the selling of licenses at these two locations, ideas for betterment included posting the dog license application on the ACCD web page such that it could be downloaded, filled out, and mailed in, as well as involving veterinarians willing to sell dog licenses through their offices. Other ideas included selling dog licenses at the various dog-related activities given periodically throughout the City, or occasionally giving incentives to first-time dog licenses such as free dog tags or discount coupons in conjunction with willing vendors. While it may be the law to obtain a dog license, it must also be noted that the easier the process, the more dog licenses that will probably be sold.

## CONCLUSIONS

(1) The Civil Grand Jury finds that the ACCD is doing an excellent job of carrying out their departmental duties.

(2) Though no major shortcomings were observed in the Tax Collector's administration of the dog licensing program, improvements in program implementation are possible. The ACCD, which has a more vested interest in the goals and outcomes of the dog

licensing program, is a more logical owner of the program. The benefits of the ACCD handling the dog licensing program would include:

a likely increase in the number of dogs licensed, resulting in increase to concurrent benefits for dog guardian/owners and general public health considerations; better statistics on dog populations and dog guardian/owner populations, which would allow for better planning and development of public policy; better education and outreach opportunities; increased revenues, which could not only make the dog license program self-supporting but ensure that animal populations continue to be served 24 hours a day, seven days a week; a probable reduction in use of General Fund monies by ACCD; possible increase in revenues to the Tax Collector due to increased attention to other priorities such as delinquent revenue.

#### Recommendations

(1) The Mayor's Office of Budget should effect the transfer of responsibility for the dog license program from the Tax Collector to the ACCD.

The prior Budget Analyst and Civil Grand Jury Reports recommended that the ACCD be required to submit a report to the Mayor and Board of Supervisors at the end of the fiscal year regarding the effectiveness of the trial transfer. However, we do not include this as a recommendation in this report and leave it to the discretion of the Mayor's Office.

#### Required Response

Mayor

The ACCD

Treasurer/Tax Collector

Director of Administrative Services

(2) The ACCD should prepare draft changes to the applicable sections of the San Francisco Health Code that would be necessary to effect transfer of dog license program responsibility from the Tax Collector to the ACCD. Thought should be given to making the proposed new dog license program as convenient as possible for those who need to buy dog licenses, including interaction with local veterinarians and posting of the license application and instructions on the City website.

#### Required Response

The ACCD

(3) We recommend that the Animal Control and Welfare Commission actively support the initiative to transfer responsibility of the dog license program from the Tax Collector's Office to the ACCD.

#### Required Response

Animal Control and Welfare Commission

The ACCD

(4) We recommend that the Board of Supervisors support the initiative to transfer responsibility of the dog license program, particularly with the need of initial seed money to set the program up within the ACCD such that it has the opportunity to become self-funding.

Required Response  
Board of Supervisors  
The ACCD  
Treasurer/Tax Collector