



ANIMAL CARE AND CONTROL IN SAN MATEO COUNTY

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ISSUE

While the County of San Mateo (County) has committed to building a new animal shelter, the aging existing animal shelter has been falling into disrepair for the last several years. How is this old shelter holding up as it nears the end of its useful life? How is the County overseeing the safety of the animals and the fulfillment of the animal control agreement while waiting for the new animal shelter to be built? What changes in the animal control agreement should be made once construction is complete?

SUMMARY

A new animal shelter is intended to replace an aging 65-year-old facility and provide safer and healthier living conditions for the animals in the County's care. The existing shelter suffers from many problems, including roof issues, insufficient ventilation, seasonal flooding in the parking lot, and outdated plumbing and electrical systems. Although the shelter is situated on County-owned land, the building itself is owned by the contractor, Peninsula Humane Society & SPCA (PHS/SPCA), which is also responsible for its maintenance and repairs.

The Department of Public Works (DPW), while not accountable for the shelter's maintenance and repairs, is authorized to inspect the condition of the facility on a quarterly basis at the request of the County's Health System (who oversees the operations and services of the agreement with PHS/SPCA). Regular site inspections have not been the status quo. DPW most recently inspected the facility in 2011, and prior to that in 2009, to assess the pros and cons of repairing the existing facility or building a new one. DPW determined that due to its age and overall condition it would be more cost-effective and practical to construct a new shelter than it would be to perform the extensive repairs required to bring the existing one up to desired standards.

In October 2012, the County presented the new animal shelter project to the Board of Supervisors¹ but as of June 2017, they have yet to break ground. During this time, the declining conditions at the shelter and the safety of the animals have been questioned. The news media brought attention to the shelter situation in October 2016.² The Health System quickly responded and assessed the situation. Their key findings resulted in some urgent repairs and a request to PHS/SPCA for outstanding annual financial audits, and maintenance and repair reports.

The new animal shelter project has since been fast-tracked by the County Manager's Office. The County will own its newly constructed animal shelter. This ownership change provides an

¹ County of San Mateo. "Inter-Departmental Correspondence County Manager." February 13, 2017.

<http://sanmateo.siretechnologies.com/sirepub/cache/2/dt4p5tt3ss5a45hhtzrjihq4/43192505202017050339973.PDF>.

² Walsh, A. October 25, 2016. "Workers allege poor conditions at Humane Society: Staff claims inadequate facilities; officials agree, refute other allegations." <http://www.smdailyjournal.com/articles/news/2016-10-25/workers-allege-poor-conditions-at-humane-society-staff-claims-inadequate-facilities-officials-agree-refute-other-allegations/1776425170350.html>. Accessed May 20, 2017.

opportunity for the County to issue a new request for proposals (RFP) or request for qualifications (RFQ) for animal care and control services. It is also an opportune time for the Health System to write a new agreement that redefines the responsibilities for maintenance and repairs, and includes routine site inspections and scheduled performance audits. This oversight will help ensure the shelter environment remains safe for staff and the animals. Finally, the Health System should engage in better oversight of the contractor's reporting obligations.

CONFLICT OF INTEREST DISCLAIMER

One Grand Juror was recused due to a possible conflict of interest and did not participate in the investigation, preparation, or approval of this report.

BACKGROUND

Chapter 6.04 of the County's Ordinance Code, as well as similar City ordinances, requires the enforcement of animal control services in accordance with state law. Since 1951, each of the 20 cities (Cities) has contracted with the County to manage its animal control field and sheltering services. The County, in turn, has contracted with PHS/SPCA,³ a private, independent, non-profit organization to provide animal control and sheltering services. PHS/SPCA performs the following functions for the County:⁴

- Enforcing animal control laws
- Sheltering stray and owner-surrendered animals
- Investigating dangerous and vicious animal complaints
- Euthanizing sick or injured animals
- Removing dead wildlife from public property
- Providing clinics for vaccinations and for spay and neuter procedures
- Providing veterinarian treatment for animals in their care
- Issuing pet licenses
- Microchipping pets
- Disposing of all dead animals brought to the facility

³ Memorandum from Jean S. Fraser, Chief Health System, and Sara T. L. Mayer, Director, Public Health, Policy and Planning to San Mateo County Board of Supervisors (June 2, 2015 BOS Meeting).

<http://sanmateo.siretechnologies.com/sirepub/cache/2/regaoiz1zz0v1wsgjmbsfhbu/35949804282017092519156.PDF>.

⁴ Exhibit C of the agreement between County and PHS/SPCA.

In 1951 the County leased to PHS/SPCA approximately two acres of land located at 12 Airport Blvd in San Mateo for the nominal rent of \$1/year for the purpose of providing animal control services. PHS/SPCA constructed an animal shelter on this property in 1952, and the facility has been owner-operated by PHS/SPCA ever since. PHS/SPCA is responsible for all maintenance and repairs of the shelter. In 1970, PHS/SPCA added a new low-cost public spay/neuter clinic to their facility (the first humane society in the nation to do so). Other major renovations on the premises and at the shelter throughout the years include constructing an animal barn, adding square footage to an existing building for a break room, building an enclosed patio, and improving offices and retail space.

Agreement between the Cities and the County

The County and its Cities have an agreement whereby the County will provide the Cities' statutorily mandated animal control services such as field enforcement services, shelter services, and treatment services. These agreements were first entered into in the 1950s and have been revised and extended from time to time thereafter. The current agreement between the County and Cities was entered into on June 2, 2015 and expires on June 30, 2020.⁵

Agreement between the County and PHS/SPCA

The County's Health System oversees the operations of the County's service agreement with PHS/SPCA. This agreement sets forth the animal control and related services to be performed by PHS/SPCA and their reporting obligations to the Health System. It also authorizes DPW to inspect the conditions of PHS/SPCA's shelter on a quarterly basis. Over the years, the agreement has been amended three⁶ times to change such things as payment terms and scope of services. The current agreement between the County and PHS/SPCA⁷ is a total re-write; it was entered into on June 2, 2015 and extends until June 30, 2020.

Of note is an updated provision in the agreement which authorizes the Health System to organize and oversee a midterm performance audit of PHS/SPCA's animal control and care services. This audit will follow the Generally Accepted Government Auditing Standards (GAGAS) to assess if PHS/SPCA is being efficient and effective in the performance of the agreed-upon services. It will include a review of field-call-response protocols, staffing levels, sheltering and veterinarian services, and a site inspection. The Health System is expected to issue an RFP for this audit in August or September of 2017, to be awarded and completed in 2018. PHS/SPCA has agreed to provide detailed information to be used in connection with this performance audit, but only if doing so is not "unduly burdensome" and would not interfere with the operations of

⁵ Agreement between the County of San Mateo and the Cities. June 2, 2015.

https://sanmateo.siretechnologies.com/sirepub/view.aspx?cabinet=published_meetings&fileid=359501.

⁶ Memorandum from Jean S. Fraser, Chief, Health System and Brian J. Zamora, Director, County Health to San Mateo County Board of Supervisors. April 6, 2011.

http://www.co.sanmateo.ca.us/bos.dir/BosAgendas/agendas2011/Agenda20110426/20110426_m_27.htm.

⁷ Agreement between the County of San Mateo and The Peninsula Humane Society & SPCA. June 2, 2015.

https://sanmateo.siretechnologies.com/sirepub/view.aspx?cabinet=published_meetings&fileid=359500.

PHS/SPCA's programs and services.⁸ The Health System has no records of conducting prior performance audits even though previous service agreements authorized them.

Inquiries by the Grand Jury revealed that PHS/SPCA had not been meeting all of their reporting obligations in recent years. The Health System realized several reports were delinquent in the fall of 2016 when the media attention put PHS/SPCA and the animal shelter in the spotlight. PHS/SPCA had not submitted several quarterly maintenance and repair reports from 2015-2016 and was lagging two years on their financial audit reports. After the Health System requested the backlog of reports, PHS/SPCA sent five missing quarterly maintenance and repair reports, and completed and submitted their 2014 financial audit report. At the time this Grand Jury report was written, PHS/SPCA's 2015 financial audit report was still delinquent and not expected to be submitted until July 2017.

The current agreement authorizes DPW to perform quarterly site visits and facility inspections. DPW inspected the facility in 2009 and 2011 to weigh the options of renovating the existing facility or constructing a new one. As a result of these inspections, DPW determined the most cost effective solution was to build a new shelter. After those inspections, however, DPW allowed more than five years to elapse without inspecting the shelter despite growing concerns that it was falling into disrepair. Not until October 2016 did the Health System perform a site inspection and then only in response to allegations of poor living conditions and the safety of the animals.

Over the years, PHS/SPCA's obligations pursuant to the agreement have been reduced as the Cities and County decided they no longer want to pay for services such as wildlife management, dead animal removal from private property, and animal adoptions. PHS/SPCA has shifted the responsibility for many of these excluded services to its privately funded Tom and Annette Lantos Center for Compassion in Burlingame as these services align with PHS/SPCA's overall charitable mission for animal welfare. PHS/SPCA privately finances the cost of these services with adoption fees, obedience training fees, fundraising and donations.

Through a series of agreement extensions and waivers of the RFP process, PHS/SPCA has been the sole provider of animal control services for San Mateo County since 1952. At the request of the Health System, the Board of Supervisors has waived the RFP process several times, most recently in June 2015 to ensure continuity of service.⁹ Sources interviewed by the Grand Jury indicated that an RFP has never been issued for the provision of animal control services.¹⁰

Deteriorating shelter conditions

In October 2016, PHS/SPCA was in the local news¹¹ for allegedly failing to maintain safe and healthy living conditions for the animals in their care. The Health System is to be commended for promptly responding with a site visit and inspection of the shelter conditions and animal care

⁸ Section 19.5 of the agreement between the County and PHS/SPCA.

⁹ Memorandum from Jean S. Fraser, Chief, Health System to the San Mateo County Board of Supervisors. (June 2, 2015 BOS Meeting). <http://sanmateo.siretechnologies.com/sirepub/cache/2/regaoiz1zz0v1wsgjmbsfhbu/35949904282017101304187.PDF>.

¹⁰ Official from San Mateo County Health System: email message to Grand Jury.

¹¹ Walsh, A. October 25, 2016. "Workers allege poor conditions at Humane Society: Staff claims inadequate facilities; officials agree, refute other allegations."

procedures. A County public health veterinarian accompanied the Health System staff to assist in performing the site inspection. The Health System identified some urgent issues that needed to be addressed immediately and stayed on site until PHS/SPCA completed these repairs.

The veterinarian issued a report on October 25, 2016, stating, “Overall, animals appeared well cared for.”¹² The report further added that the animals were all well-groomed, had fresh water, food, clean bedding, and sanitary kennels. The veterinarian made suggestions to improve some procedures and protocols intended to mitigate animal and human health and safety risks.

The veterinarian’s report identified several challenges related to the age and design of the building:

- The facility needs to accommodate many species and many diverse uses which make it difficult to maintain a healthy environment for all animals.
- Dog barking was clearly audible in the cat wards, which is stressful to the cats.
- Multiple species were housed together in the exotic animal room. This presents challenges for maintaining appropriate temperatures, humidity, sanitation, and disease prevention.
- Rodents were housed in a room with cats, which is stressful for the prey species.

The report also noted that the overall appearance and sanitation “could be improved.” The veterinarian’s list of improvements included dusty sinks, rusty metal surfaces, dirty vent screens, rooms cluttered to accommodate equipment storage, and surfaces in the dog run coated with bird droppings. The veterinarian recommended shelter leadership conduct a periodic walk-through of the facility with staff and managers to ensure safe and sanitary conditions.

Finally, as indicated in the veterinarian’s report, shelter representatives explained that the current method for reporting their animal welfare concerns is to discuss the issue with a supervisor. The veterinarian reported this is cause for concern because staff may avoid reporting issues out of fear of retribution from a supervisor. The veterinarian recommended that shelter leadership designate an individual or committee to receive and investigate staff concerns related to animal welfare.

As a follow-up to the veterinarian’s inspection report, the Health System organized another shelter inspection by an independent veterinarian that was conducted on May 1, 2017. At the time this Grand Jury report was written, the inspection report was not yet available.

The new animal shelter project

It has been clear to both PHS/SPCA and DPW for a number of years that the existing animal shelter in the city of San Mateo is outdated and suffers from a level of deterioration that restricts necessary repairs and upgrades, and does not adequately meet the desired standards for animal

¹² Appendix A

care.¹³ DPW inspected the now 65-year old shelter in 2009 and 2011 and determined that the comprehensive repairs required to bring the facility up to modern animal shelter standards rendered the building functionally obsolete and that a substantial renovation was not a viable option. PHS/SPCA and the Health System have echoed this assessment in recent years. PHS/SPCA leadership stated that it would be reluctant to renew the agreement extension in 2015 if the agreement did not include a plan to address the current condition of the shelter.¹⁴

We have flooding in the parking lot; the roofs have been repaired several times. The areas where the animals are held are probably the biggest concern. There's not proper ventilation. It's hard to keep animals healthy there. - Scott Delucchi, Peninsula Humane Society Director¹⁵

The current shelter has fallen into disrepair. It's not up to current standards for animal care and control function. We've been sinking a fair amount in maintenance. It would be more responsible to rebuild rather than putting money into that endlessly. – S.T. Mayer, San Mateo County Director of Public Health, Policy and Planning¹⁶

The existing facility, however, is obsolete and inadequate to meet current standards for animal care. The county has opted to construct a brand-new facility rather than try to rehabilitate the current facility because of its level of deterioration. – Jim Porter, San Mateo County Director of Public Works¹⁷

The new animal shelter project has been on the public's radar since DPW proposed the project in October 2012. In September 2014, a budget of \$20 million plus a 10% contingency was authorized. An RFP was issued for architectural services and the design process kicked off but the project was halted in 2014 and has experienced several delays since then.

In the fall of 2015, DPW re-issued its Request for Qualifications (RFQ)/RFP for design-build entities. By this time, two years had passed since the budget was established during which time construction costs had increased. As a result, the bids received were significantly more than what the County and Cities had anticipated. The project was stalled once again.

The County's new Project Development Unit (PDU) took over the building project in collaboration with DPW and the Health System. The County was forced to revise their requirements for the shelter in order to keep the costs within the budget constraints.

As a result of the aforementioned RFQ, the County invited the three top rated design-build entities to submit proposals. During the RFP process, two of the three entities withdrew.

¹³ Dudnick, L. "San Mateo County looks to rebuild Peninsula Humane Society animal shelter." March 7, 2014. <http://www.sfexaminer.com/san-mateo-county-looks-to-rebuild-peninsula-humane-society-animal-shelter/>. Accessed May 20, 2017.

¹⁴ City of San Mateo. "Administrative Report." April 22, 2014. <http://www.cityofsanmateo.org/DocumentCenter/View/41432>.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ The Daily Journal. July 12, 2016. <http://www.smdailyjournal.com/articles/news/2016-07-12/county-taps-firm-to-manage-animal-shelter-construction/1776425164877.html#sthash.4yUbj8Hz.dpuf>. Accessed May 29, 2017.

Proposals were ultimately received in July 2016 and the contract with the selected design-build entity was not approved until February 28, 2017.

The County Manager's Office has fast-tracked the project and estimates that construction will commence in September or October 2017 with an anticipated opening date in Spring 2019. The construction project will be County-funded but each City will enter into a cost sharing agreement to pay a portion of the costs through a 30-year lease of the shelter.¹⁸

The proposed new shelter is planned to be approximately 25,000 square feet and will replace the existing facility, with a smaller footprint, on the current parcel of land. It will be built in two stages so the animal care functions can continue on-site without interruption during construction. For phase one, all animals and equipment will be moved into a self-contained half of the existing shelter, the empty shelter will be demolished and new construction will start. Once the first phase of construction is complete, the animals and equipment will relocate to the new shelter area while the remaining old shelter is demolished and phase two construction to complete the shelter begins.

If construction of the new animal shelter is completed before the agreement expires in July 2020, the Health System will amend the current agreement between the County and PHS/SPCA to address the change in facility ownership; primarily maintenance and repair responsibilities. Also upon completion of the new shelter, the County will dissolve the current lease for the property and draft new lease terms for PHS/SPCA, or whichever contractor is providing animal control services at that time.

DISCUSSION

Waiver of the Request for Proposals process

Sources interviewed by the Grand Jury indicated that the Health System has no record of an RFP being issued for the County's animal control services agreement.¹⁹ Government agencies often issue RFPs as a fair and transparent way to solicit competitive bids for service procurement. After 65 years with the same contractor it would behoove the County to explore more options and contractors. Alternatively, the County itself could hire the necessary staff and resources to carry out the state's animal control mandate. Another potential option would be for the County and Cities to form a joint powers authority in an effort to provide these services more efficiently and cost-effectively.

The expiration of the current agreement between the County and PHS/SPCA in July 2020 comes right on the heels of the anticipated opening of the new animal shelter in the spring of 2019. This circumstance presents an opportunity for the Health System to issue an RFP or RFQ for the agreement or consider alternative solutions for animal control services. The County will have more flexibility with animal control contractor options once the new shelter is open.

¹⁸ City of San Mateo. "Administrative Report." April 22, 2014. <http://www.cityofsanmateo.org/DocumentCenter/View/41432>

¹⁹ Official from San Mateo County Health System: email message to Grand Jury.

Service agreement

Prior to the expiration of the current agreement in July 2020, the Health System is expected to draft a new agreement for animal care and control services. The Health System should take this opportunity to tighten their agreement oversight role. The County should, as stipulated in the current agreement, continue to require a third-party performance audit of the contractor's services.

In light of the new County-owned facility that is expected to be operational in the spring of 2019, the Health System and DPW should consider service agreement revisions as they pertain to the maintenance and repair of the facility. Once the new shelter is complete, DPW will need to schedule regular site inspections and take primary responsibility for the maintenance and repair of the facility. In the opinion of some witnesses, DPW should delegate some of this responsibility to the contractor for efficiency, safety, and their expertise. For example, it is more efficient for PHS/SPCA to handle some day-to-day or minor maintenance themselves, like replacing light bulbs. Some emergency repairs may need to be handled by PHS/SPCA for safety purposes until DPW is able to respond. Finally, the surgery suite has specialized veterinary equipment that witnesses agree requires operational expertise to handle and maintain.

The Health System should be required to perform, at a minimum, annual site inspections of their shelter, transport vehicles and the condition of the animals. Additionally, the Health System should require the contractor to establish an individual or committee for shelter staff to safely raise animal welfare concerns without fear of retribution.

Agreement oversight

An apparent lack of oversight by the Health System in its dealings with PHS/SPCA and the animal control agreement leads to questions about PHS/SPCA's performance and how it was evaluated. PHS/SPCA was delinquent in submitting several reports to the Health System and the County neglected to perform at least annual facility inspections even though DPW had documented several issues of concern with the shelter since 2009. Despite this, the Grand Jury is encouraged by the Health Systems' swift response to the media coverage in October 2016. Once news broke, the Health System inspected the shelter, verified urgent repairs were made, planned an independent veterinarian inspection, and requested all outstanding PHS/SPCA reports. The Health System also developed plans to update or draft a new service agreement for the next term and started preliminary planning of the midterm performance audit of the PHS/SPCA.

At the time of the Grand Jury's inquiry, the Health System representatives overseeing the animal control agreement were relatively new in their roles and did not have extensive knowledge of the agreement or the history with PHS/SPCA. The media attention on the shelter forced them to get up to speed quickly and they are to be commended for their level of engagement and commitment to the agreement in reaction to and following this event.

Going forward, the Health System should remain vigilant about PHS/SPCA's reporting obligations and, in addition to the scheduled performance audit for 2018, perform regular facility and vehicle inspections to ensure safe and healthy conditions for animals and staff.

New animal shelter

Rising construction costs and a tight budget have forced the animal shelter stakeholders to make difficult decisions redefining the scope of the project. The PDU and DPW are working with the architecture and construction firms to arrive at plans that fit within the budget. PHS/SPCA, with its domain expertise in animal sheltering and care, plays an advisory role in the planning, and the Health System, as manager of the animal control agreement, also provides input at design meetings.

The Grand Jury learned that some project stakeholders see risks with the concessions being made due to budget limitations. For example, at 25,000 square feet, the new shelter is only about 60% the size of the existing shelter. The smaller shelter does not have room for an adoption center. Adoptions are not a County-sponsored service so they are currently handled off-site at the Lantos Center for Compassion, which is privately owned and operated by PHS/SPCA. The lack of an on-site adoption center in the new shelter is likely to pose an issue in the future if the County parts ways with PHS/SPCA because the County will not have the space necessary or procedures in place for this critical component of animal care and control.

According to stakeholders interviewed by the Grand Jury, other risks include:

- The square footage allotted for the cat room is too small to fit all of the cages and supplies requested.
- A recommendation for two separate ventilation systems has been turned down.
- The property is next to and on bay-fill, which presents building challenges and remains a flood risk.
- The tight budget itself is a risk, making it difficult to meet desired building requirements.

The County is understandably pressed to design and build a new animal shelter that satisfies multiple requirements with a limited budget and without further delay. The shelter resides on a large property, which lends itself to future expansion and renovations as needed and can hopefully be used to resolve any shortcomings in the planned shelter.

FINDINGS

- F1. The County has no record of issuing a request for proposals for the animal control agreement; Peninsula Humane Society & SPCA has been the sole vendor since 1952.
- F2. The County's oversight of the animal control agreement has been insufficient. In recent years, PHS/SPCA was allowed to miss several required reporting obligations and the County has not performed regular site inspections or performance audits throughout the history of the animal control agreement.
- F3. Budget constraints have delayed the new animal shelter construction project, resulting in design concessions and, consequently, extending the use of the existing shelter beyond its useful life.

- F4. The County currently has no plans for the new shelter to have an adoption center. The lack of an adoption center could become an issue for the County in the future if PHS/SPCA, who currently provides adoption services at their private facility, is no longer the contractor for animal control services.

RECOMMENDATIONS

- R1. The County shall issue a request for proposals or a request for qualifications for animal control services in preparation for the end of the existing agreement term (July 2020) in an effort to bring transparency and competitive bidding to the process.
- R2. The County shall ensure that PHS/SPCA is accountable for meeting all reporting obligations and requests mandated by the agreement.
- R3. The County shall perform, at a minimum, annual facility and vehicle inspections to ensure a safe and healthy environment for the animals in the County's care and the staff that take care of them.
- R4. The County shall execute routine third-party performance audits on the contracted services at logical intervals, e.g. midway through a 5-year agreement term, to ensure efficient and effective service.
- R5. Upon completion of construction of the shelter, the County shall address the new facility maintenance and repair responsibilities in a new service agreement upon completion of construction of the shelter; some of these responsibilities shall be delegated to the contractor based on simplicity, urgency and specialization of the repair.
- R6. By December 31, 2017, the County shall identify options for handling the adoption of animals from the shelter.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses from the San Mateo County Board of Supervisors to all recommendations. The comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

METHODOLOGY

Interviews

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

- Interviews were conducted with representatives of San Mateo County's Department of Public Works, the Health System and the County Manager's Office.
- Interviews were conducted with representatives of the Peninsula Humane Society & SPCA

BIBLIOGRAPHY

Agreement between the County of San Mateo and the Cities. June 2, 2015.
https://sanmateo.siretechnologies.com/sirepub/view.aspx?cabinet=published_meetings&fileid=359501.

Agreement between the County of San Mateo and The Peninsula Humane Society & SPCA. June 2, 2015.
https://sanmateo.siretechnologies.com/sirepub/view.aspx?cabinet=published_meetings&fileid=359500.

City of San Mateo. "Administrative Report." April 22, 2014.
<http://www.cityofsanmateo.org/DocumentCenter/View/41432>.

County of San Mateo Animal Care Shelter Project. "Request for Design-Build Entity Qualifications." July 24, 2015.
http://publicworks.smcgov.org/sites/publicworks.smcgov.org/files/ACS_RFQ_Final%202015-07-24_0.pdf.

County of San Mateo Department of Public Works. "Request for Proposals, Construction Management Services, Capital Projects 2015." April 30, 2015.
<http://publicworks.smcgov.org/sites/publicworks.smcgov.org/files/Final%20RFP%20CM%20rlk.pdf>.

County of San Mateo Department of Public Works. "Request for Design Build Entity Qualifications." Re-issue Date: December 30, 2015.
<http://publicworks.smcgov.org/sites/publicworks.smcgov.org/files/RFQ%20r.2%20FINAL.pdf>.

County of San Mateo Department of Public Works. "County of San Mateo Animal Shelter RFP Shortlist." March 14, 2016.
<http://publicworks.smcgov.org/sites/publicworks.smcgov.org/files/Shortlist%20RFQ%20r.2%20Results%20-Animal%20Shelter.pdf>.

County of San Mateo Inter-Departmental Correspondence. "County Manager's Report #24." December 9, 2016.
<http://sanmateo.siretechnologies.com/sirepub/cache/2/ca31wqdx23s05cxp5g4pxy4/42622404282017100241998.PDF>.

County of San Mateo Inter-Departmental Correspondence. "County Manager's Report." February 13, 2017.
<http://sanmateo.siretechnologies.com/sirepub/cache/2/dt4p5tt3ss5a45hhtzrjihq4/43192505202017050339973.PDF>.

Dudnick, L. "San Mateo County looks to rebuild Peninsula Humane Society animal shelter." March 7, 2014. Retrieved from <http://www.sfexaminer.com/san-mateo-county-looks-to-rebuild-peninsula-humane-society-animal-shelter/>. Accessed May 20, 2017.

Memorandum from Jean S. Fraser, Chief, Health System to the San Mateo County Board of Supervisors (June 2, 2015 BOS Meeting).
<http://sanmateo.siretechnologies.com/sirepub/cache/2/regaoiz1zz0v1wsgjmbsfhbu/35949904282017101304187.PDF>.

Memorandum from Jean S. Fraser, Chief, Health System and Brian J. Zamora, Director, County Health to San Mateo County Board of Supervisors. Dated April 6, 2011.
http://www.co.sanmateo.ca.us/bos.dir/BOSAgendas/agendas2011/Agenda20110426/20110426_m_27.htm.

Memorandum from Jean S. Fraser, Chief Health System, and Sara T. L. Mayer, Director, Public Health. "Policy and Planning to San Mateo County Board of Supervisors." (June 2, 2015 BOS Meeting). <http://sanmateo.siretechnologies.com/sirepub/cache/2/regaoiz1zz0v1wsgjmbsfhbu/35949804282017092519156.PDF>.

San Mateo County Board of Supervisors. "Meeting Agenda." June 20, 2000.
<http://www.co.sanmateo.ca.us/bos.dir/BOSAgendas/agendas2000/062000.pdf>.
San Mateo County Board of Supervisors. "Meeting Minutes." September 9, 2014.
<https://sanmateo.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=275&doctype=MINUTES>.

San Mateo County Board of Supervisors. "Meeting Minutes." October 21, 2014.
<https://sanmateo.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=278&doctype=MINUTES>.

San Mateo County Board of Supervisors. "Meeting Minutes." July 12, 2016.
<http://sanmateo.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=335&doctype=MINUTES>

San Mateo County Board of Supervisors. "Meeting Minutes." February 28, 2017.
<http://sanmateo.siretechnologies.com/sirepub/cache/2/r4byxxnte2wu2otwqfwmm3ri/43192505082017103233420.PDF>.

Walsh, A. "Workers allege poor conditions at Humane Society: Staff claims inadequate facilities; officials agree, refute other allegations." October 25, 2016. Retrieved from <http://www.smdailyjournal.com/articles/news/2016-10-25/workers-allege-poor-conditions-at-humane-society-staff-claims-inadequate-facilities-officials-agree-refute-other-allegations/1776425170350.html>. Accessed May 20, 2017.

APPENDIX A PHS/SPCA-SPCA SITE VISIT 10-25-2016 VETERINARIAN REPORT

Thank you for the opportunity to visit the Peninsula Humane Society/SPCA as a member of the San Mateo County site visit team. Below is a summary of findings, from the perspective of the county public health veterinarian.

Overall, animals appeared well cared for. All animals had clean, full bowls of water and food and clean blankets, beds, and/or towels. Animals' coats were clean and groomed and nails trimmed. Cages were clean and sanitary; according to staff, they were cleaned daily, in addition to spot cleaning throughout the day.

Enrichment for exotics and cats was excellent. Each cage of exotics (birds, turtles, rodents) had a variety of items for enrichment appropriate to the species, and all cats had a place to hide within their primary enclosure.

Veterinary care for shelter animals also appeared to be of high quality. Standardized daily check sheets, including surgical incision site checks, observations for symptoms of contagious disease (cough, diarrhea) were neatly and completely filled out for all animals.

Careful notes about health conditions were documented in each animal's medical record, which was attached to the cage and easily identifiable with a photo and the animal's name. All animals with observed medical issues (ocular discharge, hair loss) had appropriate medical documentation and treatment plans in medical records, and medications and up-to-date treatment sheets were clearly displayed in a bag on the cage door.

The spay/neuter clinic appeared to adhere to the standards of a full service veterinary hospital. Veterinarian and technician licenses were posted in public view, and the surgery suite was kept clean and uncluttered. Surgical and peri-operative record keeping appeared thorough and complete. Analgesia for surgical procedures was also well-managed; in a room of 20-30 post-operative animals, all were bright, alert, responsive, and appeared comfortable.

Suggestions for improvement

In cat isolation wards, there was some personal protective equipment (PPE) available, but no clearly posted signage or protocol describing how it should be used. Disinfection procedures were also not posted or clearly apparent. When asked about written disease prevention or outbreak protocols, veterinary staff described a general protocol that could apply to parvovirus and suspected distemper virus, but stated that the shelter did not have multiple specific written protocols. Veterinarians also could not clearly describe what training staff and volunteers received in these areas.

This is a concern for mitigating risks to both animal and human health. Inadequate use of PPE and/or improper disinfection of the environment could lead to illness or injury of shelter animals or staff/volunteers. Current policies and protocols written down in sufficient detail are considered “a Must” in the ASPCA checklist/ASV Guidelines (Chapter 1 – Management and Recordkeeping, Chapter 4 – Sanitation, Chapter 5 – Medical Health and Physical Well-being, Chapter 12- Public Health). The veterinary staff should work with shelter management to develop written protocols for prevention of specific diseases, disease control in an outbreak scenario, disinfection and PPE procedures for routine isolation cases as well as outbreaks. Protocols should include required training for staff and volunteers, and how this will be documented and tracked.

Animals had appropriate cage cards with photos, names, and medical records, which were kept in a bag attached to the cage door. However, animals were not individually identified with collars or tags. Identification affixed to the animal is the most reliable way to prevent animals from being mixed up, and is important in the shelter setting where the correct animals may need to be transported to the spay/neuter clinic, off-site adoption center, or euthanasia. Identification attached to the animal is listed as “a Should” in the ASPCA checklist (Chapter 1 – Management and Recordkeeping).

The Airport Blvd facility has several challenges related to age and design. The facility needs to accommodate many species and many diverse uses, which makes it difficult to provide an environment conducive to maintaining animal health for all resident animals (Chapter 2 of the ASPCA checklist – Facility Design and Environment). Dog barking was clearly audible in cat wards, which is stressful to the cats. In the exotics room, multiple species were housed together, including several types of birds and aquatic species. This could present husbandry challenges for things like appropriate temperature and humidity, as well as challenges for sanitation and disease prevention. Rodents were housed in a room with cats, which is stressful for the prey species. Outdoor runs designated for aggressive dogs also appeared to be used for housing privately owned animals under rabies quarantine, and staff did not clearly describe mechanisms to keep these two types of animals separate. Another area of outdoor dog runs faced a second set of outdoor dog runs, which appeared to exacerbate barking and noise. These issues will be difficult to address given the limitations of the current facility, but should be considered in the design of a future replacement facility.

Overall appearance and sanitation of the facility, despite the above mentioned age and design challenges, could be improved. In the isolation room for ringworm positive cats, for example, there was dust on the sinks, rust staining of multiple metal surfaces, dirty screens in the ceiling, and the room was cluttered with equipment being stored without a clear purpose. This is a concern because ringworm is quite contagious via fomites such as equipment, and because animal housing rooms should not be used as storage areas for things that cannot be sanitized. Additionally, several surfaces in the dog run areas were coated with layers of bird droppings, which is a concern for disease spread. Shelter leadership should set expectations for cleaning, sanitation, and proper storage of surplus equipment (i.e. not in animal wards), and should conduct periodic walk-throughs of the facility with staff and managers to ensure that these expectations are met.

Lastly, the shelter representatives described that the current mechanism for reporting any animal welfare concerns was to discuss the issue with a supervisor. There is no designated person in the organization that receives or follows up on staff concerns regarding animal welfare issues. This is a concern because employees and volunteers should be able to report animal welfare concerns without fear of retribution from a supervisor or colleague. Shelter leadership should consider designating an individual or committee that can receive and investigate any staff concerns regarding animal welfare, so that potential problems can be solved internally and used to improve animal care at the institution.

Issued: July 17, 2017



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 16-577

Board Meeting Date: 9/26/2017

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: John L. Maltbie, County Manager

Subject: Board of Supervisors' Response to the 2016-2017 Civil Grand Jury Report, "Animal Care and Control in San Mateo County"

RECOMMENDATION:

Approve the Board of Supervisors' response to the 2016-2017 Grand Jury Report, "Animal Care and Control in San Mateo County."

BACKGROUND:

On July 17, 2017, the 2016-2017 San Mateo County Civil Grand Jury issued a report titled "Animal Care and Control in San Mateo County." The Board of Supervisors is required to submit comments on the findings and recommendations pertaining to the matters over which it has some decision making authority within 90 days. The Board's response to the report is due to the Honorable Leland Davis, III no later than October 16, 2017.

DISCUSSION:

The Grand Jury made four findings and six recommendations in its report. The Board responses follow each finding and the 6 recommendations that the Grand Jury requested that the Board respond to within 90 days.

FINDINGS

Finding 1:

The County has no record of issuing a request for proposals for the animal control agreement; Peninsula Humane Society & SPCA has been the sole vendor since 1952.

Response:

Agree.

Finding 2:

The County's oversight of the animal control agreement has been insufficient. In recent years,

PHS/SPCA was allowed to miss several required reporting obligations and the County has not performed regular site inspections or performance audits throughout the history of the animal control agreement.

Response:

Disagree. Currently PHS/SPCA sends timely monthly, quarterly and annual reports to the Health System. The Health Department observed that only one type of report, the quarterly maintenance and repair reports had not been submitted for several quarters to the County. Once the reporting obligation was clarified PHS/SPCA immediately sent all past due reports. The County contract with PHS/SPCA has no requirement for site inspections; however, during the last 10 months there have been two independent site inspections.

Finding 3:

Budget constraints have delayed the new animal shelter construction project, resulting in design concessions and, consequently, extending the use of the existing shelter beyond its useful life.

Response:

Agree.

Finding 4:

The County currently has no plans for the new shelter to have an adoption center. The lack of an adoption center could become an issue for the County in the future if PHS/SPCA, who currently provides adoption services at their private facility, is no longer the contractor for animal control services.

Response:

Partially disagree. The County is aware of the importance of having adoptable animals available for the community. The current agreement with PHS/SPCA is for available animals to be transported to their adoption facility. There are several options the Health System would consider if PHS/SPCA is no longer the contractor in 2020.

RECOMMENDATIONS

Recommendation 1:

The County shall issue a request for proposals or a request for qualifications for animal control services in preparation for the end of the existing agreement term (July 2020) in an effort to bring transparency and competitive bidding to the process.

Response:

The recommendation will be implemented. The current animal control contract expires June 2020. During 2019 an RFP will be developed in concert with the Cities and issued to allow for competitive bidding for the Animal Control and Care contract.

Recommendation 2:

The County shall ensure that PHS/SPCA is accountable for meeting all reporting obligations and requests mandated by the agreement.

Response:

The recommendation has been implemented. PHS/SPCA sends reports to the Health System, monthly, quarterly and annually. Monthly and annual reports are sent to each City for review. These reports allow the Health System to review the number of calls officers have responded to in the County, the number of animals housed at the shelter, the number of animals in quarantine for bites and the amount of dollars used for maintenance and repairs at the existing shelter. The County also receives an annual audited financial statement report that is completed by an independent auditing firm on behalf of PHS/SPCA.

Recommendation 3:

The County shall perform, at a minimum, annual facility and vehicle inspections to ensure a safe and healthy environment for the animals in the County's care and the staff that take care of them.

Response:

The recommendation requires further analysis. Further deliberation between the County and PHS/SPCA is warranted for consideration to amend the current contract with PHS/SPCA. The contract amendment may include deploying a small team from DPW and the Health System to conduct bi-annual shelter and vehicle inspections.

Recommendation 4:

The County shall execute routine third-party performance audits on the contracted services at logical intervals, e.g. midway through a 5-year agreement term, to ensure efficient and effective service.

Response:

The recommendation will be implemented. A deliverable in the current contract with the Cities calls for a third-party performance and financial audit of PHS/SPCA within the 5-year term of the contract. The Health System is currently drafting the RFP for the audit and will disseminate the RFP during 2018 with an anticipated award during spring 2018. The new contract starting July 2020 will execute routine third-party performance audits midway through the 5-year term and during the last year of the contract.

Recommendation 5:

Upon completion of construction of the shelter, the County shall address the new facility maintenance and repair responsibilities in a new service agreement upon completion of construction of the shelter; some of these responsibilities shall be delegated to the contractor based on simplicity, urgency and specialization of the repair.

Response:

The recommendation will be implemented. The Health System, PHS/SPCA and DPW are currently working on a new maintenance agreement for the new shelter. The responsibilities for repairs will be agreed upon and delegated to DPW and the contractor. Quarterly inspections of the facility will be completed by DPW to ensure the animal shelter is in good repair.

Recommendation 6:

By December 31, 2017, the County shall identify options for handling the adoption of animals from the shelter.

Response:

The recommendation will not be implemented. During 2020 if PHS/SPCA is not awarded the

contract the County, in consultation with the Cities, will consider several options for addressing the community need for adoption services. These could include but are not limited to the following:

- Develop an MOU with PHS/SPCA or other rescues for adoption services.
- Convert office space in the new shelter into adoption rooms and designate kennels and cat areas as adoptions.

Acceptance of the report contributes to the Shared Vision 2025 outcome of a Collaborative Community by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

FISCAL IMPACT:

There is no Net County Cost associated with accepting this report.