

Rumor 10: The non profit org that has proposed to help take on the problem and provide a solution to the proliferation of kittens during this dry hot season has been rebuffed by Mr. Boks.

Fact: This is a deliberately misleading rumor propagated by individuals who should know better. Unlike proprietary departments, like Harbor or Airports, or semi-proprietary departments like Library, Animal Services is not the sole manager of our facilities. The General Services Department (GSD) is responsible for maintaining our property, and they handle disposition of property no longer in use by Animal Services. When we vacated the former East Valley Animal Care Center in May 2007, control of the property reverted to GSD and we have no right to access or use it, except as we get their permission. Ordinarily, at this point GSD would begin the multi-step process of disposing of the property, which includes steps such as offering the facility to other City departments, and ultimately putting it up for public sale.

However, Ed Boks has gained the support of Councilmember Greuel for the idea of working with a non-profit organization to run a rescue-type activity at the former East Valley which would supplement our animal welfare efforts. Ed and the Councilmember believe Animal Services should retain control of the former East Valley in order to oversee such animal rescue services.

The first step is to obtain the approval and permission of the City's Municipal Facilities Committee (consisting of the City Administrative Officer, Chief Legislative Analyst, and Mayor's Representative) which will authorize our Department to retain control of the former East Valley site. Until that approval, we have no legal ability to let anyone begin any operations or services on that property. We are hoping for a special meeting of the Municipal Facilities Committee and sent the detailed requests within 24 hours of being advised of the formal steps needed.

The next step will be a competitive process, a Request for Qualifications, in which the several organizations who have expressed interest will have the opportunity to explain their qualifications, experience, and financial backing for the challenge of providing services at the former East Valley. The non-profit organization most qualified will be recommended to the Board of Commissioners for negotiating a Right of Entry permit with the Department, and the Board will make the final decision.

This process will sort out who does and who does not have the capacity to manage the facility and who can provide the greatest value to the City and the animals in our care. We cannot avoid a competitive process because the City Charter requires it unless we can recommend a finding that it is impractical to find more than one interested party, which is not the case as several experienced organizations have expressed interest. Please further note that Commissioners are precluded from participating in the competitive bid processes in any way prior to the presentation of an award recommendation for their formal consideration in a public meeting. To do so could actually disqualify the organization from this process.

Some have tried to compare this situation to the recent authorization granted by the Animal Services Commission to a non-profit to operate a predominantly cat-oriented spay/neuter program the North Central Center's spay/neuter clinic on a provisional basis until a permanent operator can be identified via a process similar to that outlined above. The difference is that Animal Services still controls and operates the North Central facility while it no longer controls and operates the old East Valley facility. Another difference is that a more rigorous Request for Proposal process was conducted. If and when we can regain control of East Valley, we can conceivably explore the legalities surrounding a possible temporary Right of Entry arrangement there.

However, as with the spay/neuter clinic at North Central, any entity proposing to use the facility would have to submit a complete and thorough proposal, not simply a concept. Any such proposal would have to be consistent with all applicable City statutes and requirements and would be subject to the approval of the City Attorney and the Board of Animal Services Commissioners. The fact that such a proposal would essentially have to be comparable to those being solicited via the competitive process further complicates the matter of trying to make the facility available quickly. The Animal Services Commission was appropriately rigorous in scrutinizing the proposal for the North Central spay/neuter clinic and held up its approval for two weeks while awaiting additional information. The whole process, from conception to Board approval (on June 11, 2007), took a couple of months, and it will be a while longer before the clinic is actually up and running.