

Agenda Item No. F-6

DATE SUBMITTED 1/15/2015
SUBMITTED BY City Manager
DATE ACTION REQUIRED 01/21/2015

COUNCIL ACTION (x)
PUBLIC HEARING REQUIRED ()
RESOLUTION ()
ORDINANCE 1ST READING ()
ORDINANCE 2^{DN} READING ()
CITY CLERK'S INITIALS ()

CITY COUNCIL AGENDA ITEM

SUBJECT: REGIONAL ANIMAL CONTROL EFFORTS; NEEDS ASSESSMENT MOU

1. APPROVAL AND AUTHORIZATION FOR THE CITY OF IMPERIAL TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF IMPERIAL AND THE CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE AND WESTMORLAND WITH REGARDS TO THE ANIMAL NEEDS ASSESMENT VOTERS SURVEY.

DEPARTMENT INVOLVED: FINANCE DEPARTMENT

BACKGROUND/SUMMARY: The City of Imperial is a stakeholder in discussions regarding the future of animal control and sheltering on a regional basis. The City currently takes stray animals to the Humane Society, but the organizations facility is dreadfully overcrowded. Regional stakeholders have been meeting about the demands of animal needs in the future. The City participated in funding a needs assessment that better defined the facilities needed for these services as the region grows. At this time there is a lack of available funding to construct and operate the facilities outlined and there is no clear method to obtain such funding. The Regional stakeholders group, lead by the County Health Department, is proposing to fund a survey of voters to provide guidance on how and if there could be support for a sales tax ballot measure to fund regional animal services. The cost would be shared by the County and the cities. The City of Imperia's share is \$4,941, more if some of the agencies decide not to participate.

FISCAL IMPACT: \$4, 941.00 from the General Fund to be reimbursed to the County after the County pays for the total cost of the survey. F.O. INITIALS _____

STAFF RECOMMENDATION: Fund the voter survey

MANAGER'S RECOMMENDATION: Fund the survey to the final share required and approve the City Manager to execute the MOU.

MANAGER'S INITIALS _____

MOTION:

SECONDED:

AYES:

NAYES:

ABSENT:

APPROVED ()

DISAPPROVED ()

REFERRED TO:

REJECTED ()

DEFERRED ()

**Memorandum of Understanding
between the COUNTY OF IMPERIAL and the Cities of BRAWLEY,
CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL and WESTMORLAND**

This Memorandum of Understanding ("this MOU") is made and entered into by and between the County of Imperial ("the County"), a political subdivision of the State of California, and the Cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial and Westmorland (collectively, "the Cities"), with the County and the Cities collectively referred to as "the Parties."

WHEREAS, all of the Parties agree that it is necessary to perform an assessment regarding a potential county-wide tax measure to fund the goals of the Regional Animal Control and Stakeholder Group; and

WHEREAS, the Parties agree that the assessment would evaluate the viability of a county-wide measure and evaluate the methods for placing such a measure on the ballot; and

WHEREAS, the County agrees to enter into an agreement to perform an assessment with the entity that submits the most qualified proposal, so long as the Cities agree to financially contribute a minimum percentage of the cost of such assessment; and

WHEREAS, the Chairman of the County Board of Supervisors is authorized to sign any documents necessary for execution the assessment proposal.

Now Therefore, the Parties agree as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. The Parties approve this MOU in order to establish a mutual understanding and cooperative process to support each other in the development of an assessment.
3. The Cities agree to pay a percentage of the total amount of the cost for the needs assessment, as set forth in Exhibit 1 attached hereto and incorporated by this reference. Such percentage may be increased to a maximum of ten percent (10%).
4. The County agrees to enter into an agreement with the entity that submits the most qualified proposal, if the Cities agree to contribute to the cost. The cost of the assessment shall not exceed fifty-two thousand two hundred fifty-one dollars (\$52,251).
5. This MOU may be executed in multiple counterparts, each of which shall be considered an original, and such counterparts shall together constitute and be one and the same instrument.

In Witness Whereof, the parties have executed this Memorandum of Understanding in Imperial County, California on _____, 2015.

**COUNTY OF IMPERIAL
PUBLIC HEALTH DEPARTMENT**

APPROVED AS TO FORM:

**MICHAEL L. ROOD
COUNTY COUNSEL**

By: Robin Hodgkin
Director

By: Geoffrey P. Holbrook
Senior Deputy County Counsel

CITY OF BRAWLEY

By: Rosanna Bayon Moore, City Manager

By: William S. Smerdon, City Attorney

Attest: Alma Benavides, City Clerk

CITY OF CALEXICO

By: Richard N. Warne, City Manager

By: Jennifer M. Lyon, City Attorney

Attest: Lourdes Cordova, City Clerk

CITY OF CALIPATRIA

By: Romualdo Medina, City Manager

By: William S. Smerdon, City Attorney

Attest: Catherine Hoff, City Clerk

CITY OF EL CENTRO

By: Ruben Duran, City Manager

By: Kris M. Becker, City Attorney

Attest: L. Diane Caldwell, City Clerk

CITY OF HOLTVILLE

By: Nick Wells, City Manager

By: Steven M. Walker, City Attorney

Attest: Glyn Snyder, City Clerk

CITY OF IMPERIAL

By: Marlene Best, City Manager

By: Dennis H. Morita, City Attorney

Attest: Debra Jackson, City Clerk

CITY OF WESTMORLAND

By: Larry Ritchie, Mayor

By: Mitchell A. Driskill, City Attorney

Attest: Sally Traylor, City Clerk

Exhibit 1

Assessment Cost Sharing

Entity	Population*	Percentage	Cost**
City of Brawley	25,897	14.66%	\$7,659
City of Calexico	40,564	22.96%	\$11,997
City of Calipatria	3,517	1.99%	\$1,040
City of El Centro	44,311	25.08%	\$13,105
City of Holtville	6,154	3.48%	\$1,820
City of Imperial	16,708	9.46%	\$4,941
City of Westmorland	2,301	1.30%	\$681
County of Imperial	37,220	21.07%	\$11,008

**Department of Finance 2014 with Calipatria prison population removed*

***Cost includes 10% contingency*



Regional Animal Control & Shelter Stakeholder Mtg

Imperial County Public Health Dept.



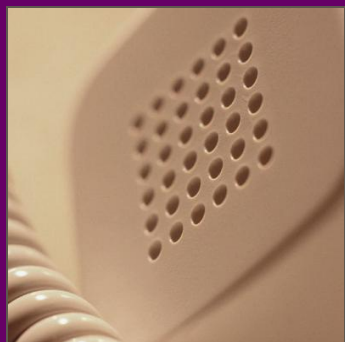
Presentation by:

T H E
LEW
EDWARDS
G R O U P

*Fairbank,
Maslin,
Maullin,
Metz &
Associates*

FM3

*Public Opinion Research
& Strategy*



November 19, 2014

The Current Environment



- Though the team of LEG/FM3 was previously successful on your County's behalf, County measures can still be challenging to pass without methodical and strategic preparation.



- In 2014:
 - Only one-third of County simple majority requirement measures passed including Humboldt County's 1/2 cent sales tax quarterbacked by LEG/FM3, raising \$6 Million annually
 - Only 43% of County 2/3s requirement measures passed, including Fresno County's measure for Fresno-Chaffee Zoo



LEG enacted 46 measures in 2014 throughout California.

Types of Funding Mechanisms Used for Infrastructure Needs

There are three different mechanisms typically used to fund capital infrastructure needs:

General Purpose Sales Tax Measures

- *Requires a simple majority (50%+1) to pass.*
- Must be scheduled to coincide with a Supervisorial election (June or November of an even year).
- Sales tax revenues are used for bonding of capital infrastructure needs.
- By law, a specific purpose cannot be designated.

Special Purpose Measures

- These measures are similar to what we enacted for the County previously, and *require a two-thirds (2/3)'s supermajority to pass.*
- You could structure these as either sales tax or general obligation bond mechanisms.
- However, the trend is away from both of these types of mechanisms.

Parcel taxes usually don't generate enough funding for infrastructure needs.



2015 and 2016 Election Options and Considerations



- The election must be called no less than 88 days prior to any selected election date
- If selecting a June election, this typically means the first Friday in March
- If selecting a November election, this typically means the first Friday in August
- The County can also consider a Special Election at any time for a Special Purpose Measure, though low-turnout demographics are not likely to be favorable to a tax measure

Remember that Measure D was enacted during a high turnout Presidential Election when Obama was on the ballot.

Effective Preparation Steps



1. Conduct Public Opinion Research to determine constituent interest/awareness of animal shelter needs or other priorities, and election viability. For Measure D, two surveys were conducted, the first of which was a year and a half ahead.
2. Secure consensus from the Board of Supervisors and local jurisdictions/City Councils of the needs and proposed ballot measure.
3. Draft effective, easy to understand ballot measure materials.
4. Conduct transparent, comprehensive Public Information materials and Community Engagement. For Measure D this was a full year.
5. Other parties typically provide advocacy independent of the County/Cities, through the community's democratic efforts.

Key Considerations



- ☐ How is the County and its current animal control and shelter needs viewed?
- ☐ Are humane animal leaders viewed credibly?
- ☐ How do voters view humane treatment, vaccination, spay/neuter, adoption, recovery and euthanasia issues, among others? What about costs?
- ☐ How do these issues rank/compare with other quality of life issues of concern?
- ☐ Are you willing to incorporate other service needs into your measure if special measure viability is not feasible?
- ☐ Who will oppose or support this measure?
- ☐ What is the urgency? What's at stake?

County Voting Demographics

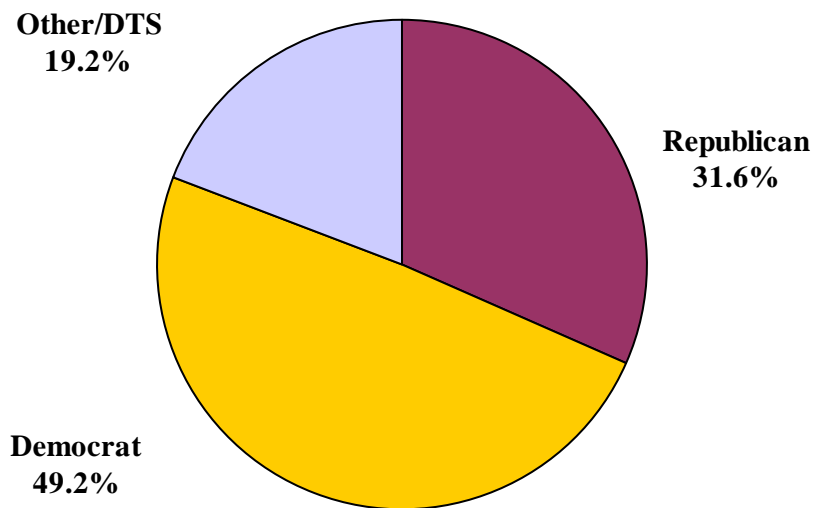


- **Total Voter Registration: 58,850**
 - Over the past seven years the County's total number of registered voters has stayed relatively stable, only growing by about 10%
- **Permanent Absentees: 25,813 (43.8%)**
 - Over the past seven years the County's permanent absentee rolls have grown by 22%
- **The top four vote shares are historically:**
 - City of El Centro
 - City of Calexico
 - Unincorporated regions
 - City of Brawley

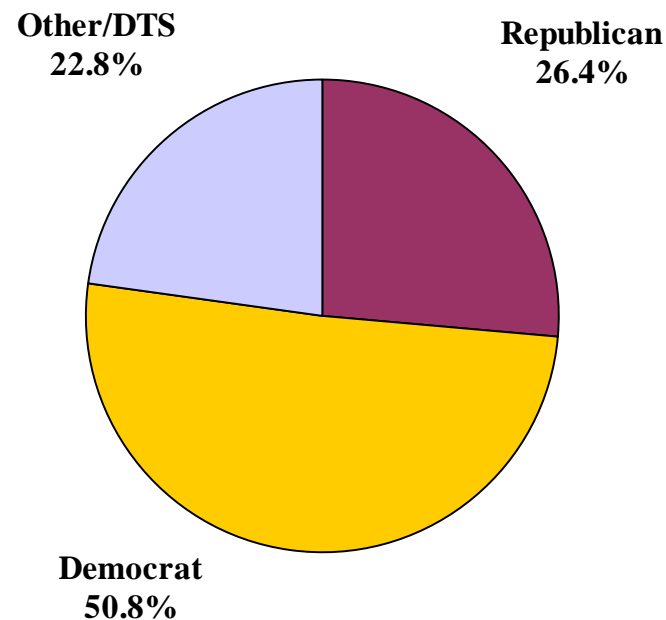


Party Affiliation of Likely Voters

Low Turnout Election



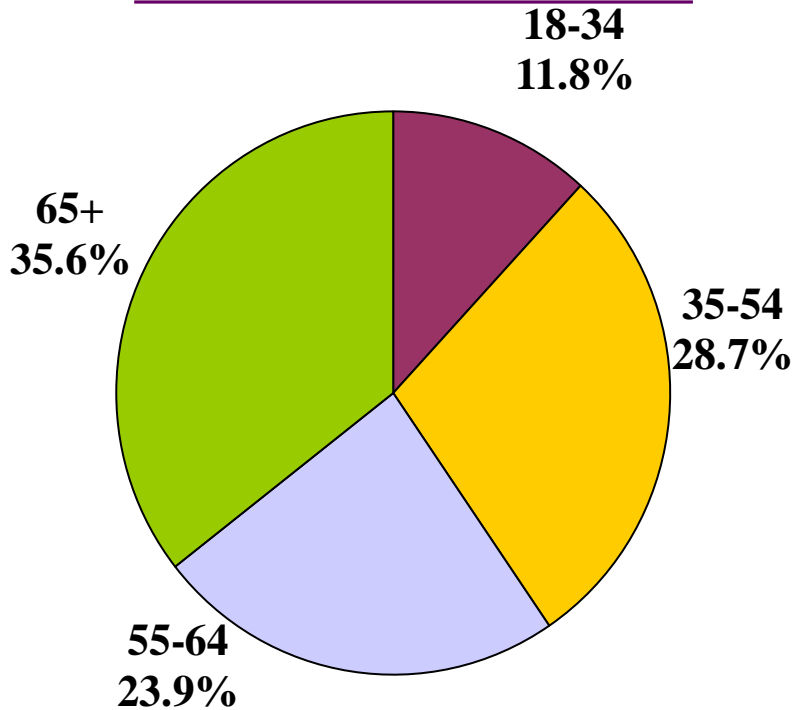
High Turnout Election



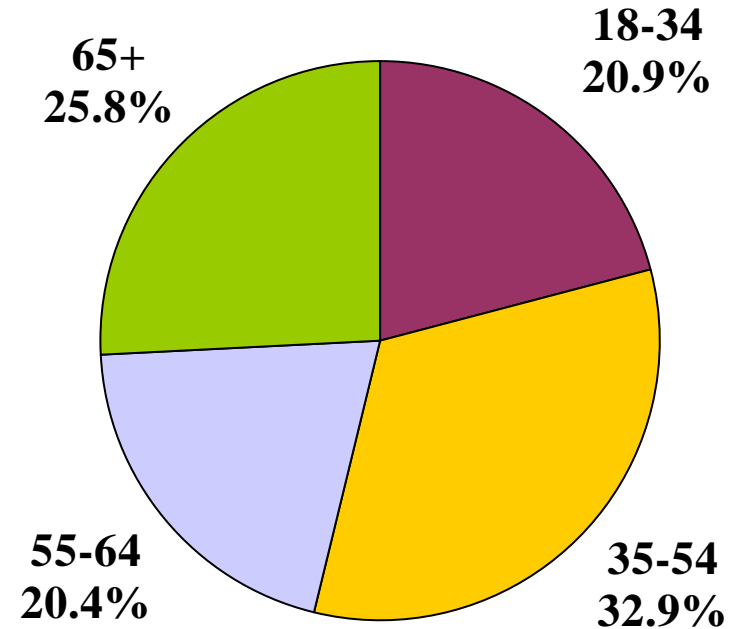
Since 2007, the Democratic and Republican shares of total registration have declined, while the DTS/Other have increased 13.5%. In a low turnout election the Republican slice is much higher, potentially affecting your viability.

Age of Likely Voters

Low Turnout Election



High Turnout Election



While the higher turnout vote scenario is younger—typically more favorable to a tax measure—older people may be more apt to be concerned about humane animal care.

Process, Suggested Approach



- In the Measure D planning, our team began its planning efforts with the County and transportation stakeholders 18 months in advance of the planned election date.
- As the Stakeholder Group is assessing the most viable way to proceed, LEG/FM3 recommend the following approach:
 - Prepare now to bring the team on board in January
 - Conduct a comprehensive survey that evaluates, among other issues: odd vs. even year election; GO Bond or Special Tax, vs. General Tax
 - Following the completion of survey research LEG will recommend a Strategic Plan and Timeline, including election timing for deployment

Suggested Timeline



- Week of January 5: Retain LEG/FM3**
- Week of January 12: Conduct KickOff Meeting**
- Week of January 19: Initiate survey drafting**
- Week of January 26: Review/approve survey**
- Week of February 1: Initiate survey interviews**
- Week of February 15: Complete survey interviews, analyze results**
- Week of February 23: Develop Strategic Plan**
- Week of March 2nd: Report Survey results to Stakeholder Group**
 - Reach consensus on timing and approach**
 - Decide when/how to brief elected officials**

This timeframe is consistent with our Measure D planning, but still preserves the option of a November 2015 election.

Proposed Costs

The following proposed costs are for the initial assessment phase only:

-Lew Edwards Strategic Services \$10,000

-FM3 Survey Interviews \$30,000-\$35,000 *range*
dependent on sample size (400-528)

-Not to Exceed Mileage/Travel \$2,500

TOTAL PROPOSED COSTS \$42,500-\$47,500





QUESTIONS & DISCUSSION

About Our Team



- The Lew Edwards Group and FM3 Research are the top California firms for enacting revenue measures for County and Local Governments, including experience with animal measures
- LEG/FM3 have enacted more than \$32 Billion in successful measures, including Imperial County's successful Measure D in November 2008
- Principals Catherine Lew and John Fairbank provide the County's Animal Control & Shelter Stakeholder Group with consistent, historical experience within Imperial County