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Saving Fido: A Case in the Privatization of Local Animal Control Services

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ABSTRACT

Over the past twenty years, public/private partnerships have been a growing method for delivery of local government services, particularly in the area of utilities. Such partnerships frequently succeed in measures of service quality, cost containment and innovative service provision. This case reviews the strengths and limitations of partnering when a third partner, a nonprofit entity, is added to the partnership mix and when the locus of service moves beyond traditional municipal government services. Through a multi-sectoring partnership dedicated to municipal animal control services, the elements of and impediments to successful partnering are studied. Despite early success of the partnership in increasing pet adoptions and decreasing animal euthanasia, the partnership studied in this case ultimately failed. The contributing factors to the partnership's demise are identified and include inattention to strong contractual obligations, mutual accountability, and mission and goal alignment, as well as limited communication and an ambiguous governance structure. Lessons for future multi-sectoral partnering arrangements are offered.

***Keywords*:** privatization, multi-sector partnering, local government services, animal control, public/private partnerships

Introduction

In municipal markets across the U.S., collaborative community approaches to address the problem of stray and homeless animals are being tested. Pilot programs have been attempted which team public, private and nonprofit players in the interest of meeting citizen expectations for humane, yet cost-effective animal control methods and improving outcomes for animals. Anecdotal evidence indicates the early promise of such approaches. Judged by measures of animal adoption and euthanasia, such partnerships have performed better than traditional government models of response to animal control (Gilroy, 2010).

This article examines the strengths and limitations of multi-sector partnering in delivering municipal government services through the experiences of one such collaborative program operating in a mid-western city with a population of approximately 500,000. In 2009, in the midst of an economic downturn, the city made a decision to privatize its municipal animal shelter. After a three-month bidding process, the City Council approved an ordinance that called for paying a private sector firm $101,333 a year with five, one-year renewal options to operate its beleaguered facility and operation (Lambert, 2009).

The shelter reopened its doors under a new name and combined its public mandate of animal control, with private sector veterinary management expertise and the resources and capacities of an associated nonprofit organization. This partnership of public, private and nonprofit entities, was created on the belief that combining of resources, expertise, and personnel was not only a viable concept, but offered the potential for a dramatic improvement in government response to the public interest concern of controlling and caring for stray and homeless animal populations. However, balancing the various interests and orientations of the three sectors in carrying out the shelter's mission presented an array of complications and tensions. The challenges the partners have faced in attempting to resolve conflicting methods and missions is instructive to other multi-sector partnerships addressing a variety of public interest concerns.

The literature is replete with studies examining the forms, functions and outcomes of governmental privatization (Johnson and Walzer, 2000; Sclar, 2000; Savas, 2000, Warner and Hebdon, 2001). According to Brooks (2004, p. 467), "The term privatization is generally associated with private sector production of services previously produced by a government unit. The most common reason cited for privatizing services is to reduce the size and cost of government." Brooks cites common applications in privatization of governmental services as involving "airport operations, data processing, fleet or vehicle maintenance, hospitals, parking lots or garages, public safety or corrections, residential solid waste collection and/or disposal, transit or transportation, water and wastewater utilities, and vehicle towing or storage." Further, Brooks describes the various forms privatized arrangements may take with a common approach involving a government privatizing operations, with a private sector firm managing and operating a publicly owned facility. Bailey (1987, p. 146), describes this form of privatization as offering several advantages: (1) personnel practices are not constrained by the restrictions of the civil service system and public employee collective bargaining, (2) private sector managers have greater flexibility in personnel assignments and compensation packages, and (3) private sector managers have an incentive to maximize utilization of the facility.

Key to the success of collaborative projects is the idea of dynamic partnerships between the various community stakeholders involved in a public-interest issue such as that of animal control. According to Ghere (1996), public-private partnerships have gained recent favor in addressing a variety of community problems based on a consensus view that government does some things best, the private sector other things, and the non-profit agency still different things. Accordingly, it is assumed that partnerships work where single sector approaches fail because they combine the best attributes of each partner. In essence, the private partner brings an orientation to innovation, efficiency and performance, the public partner draws attention to public interest, stewardship and solidarity considerations and the nonprofit partner is strong in areas that require compassion and commitment to individuals and causes (Rosenau, 1999). Where they work best, such partnerships are based on a shared commitment to agreed-upon goals backed by the necessary financial investment and human capital of the partners. Such projects also are recognized as involving shared risk, authority, responsibilities, and accountability between the partners (Linder and Rosenau, 2002).

However, these partnerships are not easy propositions. Linder (2002) notes that whether or not they live up to their promise depends on many factors including organizational structure, economic and political resources of the partners, philosophical and mission alignment between the partners, accountability factors, and communication within the partnership. Nagel (1997) suggests that partnering success is more likely if there is broad community or societal consensus in the value of the policy goals and if a number of key steps are taken at the highest organizational levels at project initiation and at key intervals during the project life. Among these are that a) key decisions are made at the very beginning of a project and set out in a concrete plan; b) clear lines of responsibility are indicated; c) achievable goals are set down; d) incentives for partners are established; and e) progress is monitored regularly. Partners must be assigned specific responsibilities and given incentives and resources to fulfill those responsibilities (Stiglitz and Wallsten, 1999).

Although there are benefits to collaborative relationships, authentic partnering arrangements that involve close collaboration and a combination of the sector strengths often fail to materialize. Rather, minimalist partnerships or partnering at a distance appear to be the norm. These types of "arms-length" relationships are characterized by limited contractual obligation and limited mutual accountability and significant differences in power wielded by the various players (Rosenau, 1999).

The issue of power asymmetries between collaborating entities in any partnership has received particular attention in the academic literature. This refers to the way in which power is distributed, mobilized, utilized and limited by the respective partners. Berry and Anderson (2001) suggest that the unequal distribution of power between the various partners is a primary impediment to progress and in the case of the some partnerships, may lead to the disintegration of the arrangements.

The literature indicates that privatization in the specific area of animal control has not been as commonly pursued as arrangements in other fields of governmental service. According to the International City Manager Association (ICMA), where animal control privatization has been attempted, counties and some cities commonly have privatized their operations by contracting out services to a local, usually nonprofit, humane organization (Handy, 1993). Such contractual arrangements often have involved the humane society being reimbursed by the government to provide basic animal control services, including animal pickup and sheltering. Other humane society services, such as education and spay/neuter promotion, have not been publicly funded on a consistent basis.

Description

Contributions of the public partner: Public interest, stewardship and solidarity. To understand the motivations and contributions of the public partner in this case (the municipal government) an understanding of the history and origins of animal control as a public mandate is necessary. In this and many municipalities, early animal control programs were established with an objective of capturing stray dogs that posed a direct risk to public health and safety, mostly in the form of bites that had the potential of spreading rabies. Dog catchers brought in stray or dangerous animals, and when adoptions were not possible, euthanized them. City animal shelters operated with no formal adoption programs, promotion of pet licensing, humane education, community outreach, rescue groups or volunteers and animal control largely consisted of capturing, holding and killing. Beginning in the 1960's, after many years of ignoring animal suffering, public outcry mounted about the cruel and inhumane practices in handling animals and as a result of the efforts of such organizations as the Humane Society, animal control programs and services evolved (Staton, 2005).

Today, in most U.S. cities, local ordinances place animal control as a public health and safety obligation of municipal governments with accompanying operational and fiscal responsibilities

(Staton, 2005). Municipalities responding to animal related problems in their communities have adopted a continuum of solutions ranging from "basic animal control programs to progressive, integrated animal service programs built on comprehensive ordinances and programs that both create incentives for people to care for animals responsibly and penalize those who do not" (Handy, 2001).

Despite the improvements in animal handling and sheltering , animal control is still largely a municipal function lacking in adequate funding and public official attention. Handy notes that, "The most common obstacle to establishing an effective animal care and control program…..is the problem of funding. As a general rule, in 2000, adequate funding of an animal care and control program costs at least $4 per citizen annually. However, city and county officials are often tempted to strip down animal control programs to the point of ineffectiveness, or they insist that pet registration (licensing) and other fees pay for all or most of the program" (2000). The International City Managers Association (ICMA) also characterizes animal control as "involving issues that fuel citizen complaints and contempt for the organization and governmental entity that is ultimately responsible" (Handy, 1993). ICMA notes that government officials are generally lacking in the veterinary and animal control expertise necessary to adequately deal with burgeoning stray and homeless pet populations (Handy, 1993).

In many respects, the municipality examined in this case was typical. While animal control is a county responsibility by law in the state in which this municipality operates, a 2003 performance audit conducted by city auditors noted that city residents "feel strongly that animal control is a <u>city</u> public safety priority." Demands on the shelter had grown in line with the municipality's expanding pet population - the dog population alone had increased by 21 percent between 1982 and 2003. It was noted that of the more than 10,000 animals brought to the animal shelter in 2002, over 68 percent were euthanized. They city's euthanasia rate was slightly higher and the adoption rate slightly lower than the national average for municipal shelters. The 2003 audit also noted that less than half of the city residents surveyed were satisfied with the quality of animal control services (Performance audit, 2003).

A subsequent operational review report prepared by city auditors in 2005 noted the continued challenges that publicly managed animal shelters face: "Historically, animal control personnel have been expected to fulfill these many responsibilities with little or no training, limited budgets and staffing and substandard facilities. Although demands for service and the need for additional programs continue to increase, budgets typically do not increase accordingly……For some officials, animal control is nothing more than a headache they wish would disappear" (Staton, 2005, p.3).

So while city officials accepted the municipality's underlying responsibility to protect public health and safety through an effective animal control program, privatizing the function offered an attractive opportunity to better balance the interests of animal supporters, taxpayers and the general citizenry. The positive press that initially accompanied the shelter reopening, the operational cost savings that accrued and the improved adoption and euthanasia rates served as affirmation for government officials that the privatization decision had been a sound move (Gilroy, 2010).

Contributions of the private partner: Innovation, efficiency and performance. When the private sector partner reopened the doors to the municipal shelter, the corporation had already dedicated in excess of 800 man-hours to updating and renovating the shelter facility and providing a much needed facelift to the decades old building. With an initial private investment of $100,000, forty years of accumulated debris was hauled away, new exam and surgery rooms were constructed, outside pet exercise runs were built, the ventilation system was improved and the business equipment and facilities for the shelter were enhanced. The renaming of the facility also offered an opportunity for the shelter to break from its tarnished history and rebrand itself as a facility dedicated to finding caring, safe homes for the city's homeless animal population (Lambert, 2009).

According to the shelter veterinarian, the new shelter management emphasized a customer service orientation at the shelter. Personnel were trained in improved customer relations and the facilities and procedures were modified to give visitors to the shelter a more positive experience when they visited. The shelter also broadened its scope of programs beyond the sheltering of lost and homeless animals and pet adoption and placement to spay/neuter programs, low cost vaccinations, and volunteer opportunities. New collaborative arrangements with animal rescue groups in the region enabled more animals to get animals transferred and adopted (Shelter veterinarian and manager, personal communication, January 14, 2011).

Another contribution of private sector involvement in shelter management involved accomplishing more with fewer resources. The city budget showed that in the years prior to privatization, the shelter operated with an average of 30 full-time positions. Under private management, the shelter ran with a beginning staff of 16 and growing to 24 by 2011 -- three veterinarians, three receptionists, four kennel personnel, two veterinary technicians, four adoption coordinators, two rescue coordinators, two maintenance workers, one accounting clerk, one computer technician, one marketing/public relations and one photographer (Shelter veterinarian and manager, personal communication, January 14, 2011). The annual savings to the city under the privatized arrangement was expected to be $175,000 (Lambert, 2009).

Perhaps more important than the efficiency measures, was the performance of the shelter in achieving its primary mission to "serve the community by providing homeless animals with the care needed to lead healthy lives and homes where they will thrive." In shelter parlance, this meant essentially two things: increasing the number of animal adoptions and reducing the euthanasia rate. On this score, the shelter reported improvements over the pre-privatized environment with the adoption rates increasing by more than 182% from 1216 in 2008 to 3429 in 2010. Likewise, the euthanasia rate dropped from 4912 to 2860 during that same period, a reduction of nearly 42% ("Shelter Statistics", 2011).

Early media reports gave significant credit to the veterinarian that managed the shelter for the improvements in operations, facilities and outcomes (Lambert, 2009). A 50-year veteran in the field, this veterinarian had managed 12 veterinary practices in four states during his career and, at the end of his tenure, was enticed to take on the shelter challenge because he knew that he could make "vast improvements that might not happen otherwise." He had experience in veterinary care, clinic management and kennel operations that previous shelter managers had lacked (Shelter veterinarian and manager, personal communications, January 14, 2011).

Contributions of the nonprofit partner: Compassion and commitment to cause. The new shelter articulated its vision as one of "A community where all pets are highly valued, healthy and live in caring homes". Understanding that the vision would require financial backing beyond what the city contract would provide, a voluntary group stepped in. This nonprofit organization was founded several years prior to the privatization to accept donations on behalf of animals at the municipal shelter and to direct those monies to where they were most needed – animal welfare, education or adoption efforts. However, as conditions at the shelter had deteriorated over time, the donor and volunteer support for the shelter had waned. The changes at the shelter and the positive press that accompanied them resulted in new donor and volunteer support through the nonprofit organization. The newly constituted nonprofit board dedicated itself to expanded fundraising, volunteer and advocacy efforts on behalf of the shelter (Shelter veterinarian and manager, personal communications, January 14, 2011).

As a group, the nonprofit board and volunteers were most ardent with respect to two issues: the conditions of the shelter and the practice of euthanasia. By public ordinance, the shelter was required to keep strays and lost dogs for no less five days (and cats no less than two days) before they were offered for adoption or euthanized. Pets relinquished by their owners were put up for adoption or euthanized the next day. The issue of euthanasia is a lightning rod for volunteer activism given the nationwide movement toward "no kill" shelters. However, the reality for public shelters is that no kill status is technically unattainable given their public mandate to admit any animal regardless of level of aggression, illness status or the shelter's space constraints (American Humane Association's Blog, August 20, 2009). Volunteers have been quick to board the "no kill" bandwagon, not understanding that those shelters who advocate "no kill" generally have the liberty of being able to turn away animals they deem as "unadoptable", thereby leaving the most aggressive or ill of animals to appear on the public shelter's doorstep (Shelter veterinarian and manager, personal communications, January 14, 2011).

The Benefits

Even despite the challenges, the privatized shelter did show improvement over the public operated facility. This was illustrated poignantly in the fact that the gas costs for the crematoriums plummeted after privatization. Prior to privatization, the city spent more than $100,000 each year euthanizing and disposing of as many as 5,000 homeless cats and dogs. By the end of 2010, the shelter was spending less than half that amount and in December, 2010 euthanized only 11 adoptable dogs (Gilroy, 2010). With over 8,000 animals coming into the shelter each year, and a mandate of not turning away any animal, the improvements in the adoption and euthanasia rates were heralded by the local media as "really something to brag about" (Lambert, 2009). In addition to animal outcomes, improvements were noted in the overall financial status of the shelter, the levels of volunteer and donor support being directed to the shelter and general image of the shelter in the larger community.

Risks, Problems and Barriers

Performance of the Partnership: Mission, mandate and market. Two years after privatization, underlying tensions in the partnership surfaced, many of which were in line with literature predictions, and which ultimately threatened the success of the shelter. Chief among these were tensions surrounding mission and goal alignment, organizational structure and governance, accountability factors and communication.

Conflicting Missions and Goals. As the partnering organizations quickly learned, the "business" of animal control presented a delicate balance of commerce and compassion. A fundamental question for the partnership surrounded the definition of what constituted shelter success. From the beginning of the partnership, all three organizations publicly endorsed the mission of "serving the community by providing homeless animals with the care needed to lead a healthy life and a home where the animals will thrive." However, the measures of mission achievement varied by partner. Specifically, the city articulated success as a balanced budget and minimal citizen complaints; the private shelter management defined success as increased animal adoptions, improved and expanded facilities and operations, and a balanced budget; while the nonprofit agency held fast to the idea of the municipality as a "no kill" city, the shelter's continued progression toward limiting euthanasia and the elimination of individual animal suffering. These differing perspectives, and the fact that few measurable goals were ever mutually agreed upon, resulted in differences of opinion over how best to direct shelter resources. The city viewed complaint containment as a priority, the private partner emphasized improvement and expansion of routine care provided by the shelter and the nonprofit stressed efforts to control and manage the pet population while eliminating euthanasia. Limited resources made it impossible to give each area its due.

Organizational Structure and Governance. The ambiguous governance structure for the partnership also contributed to confusion and at times friction among the partners. The five-year contract between the city government and the private partner provided for some clarity: essentially, the private partner was contracted to carry out specified duties related to animal care, sheltering, adoption and euthanasia on behalf of the city and report its budget results to the city council on an annual basis. Apart from a few isolated incidents, the city exerted little operational oversight. (On one notable occasion, a citizen complaint about the state of the shelter prompted an impromptu visit by the mayor. A quick tour of the facility, however, assuaged any mayoral concerns and the shelter was allowed to continue to operate in a largely autonomous manner.)

Less clear was the relationship of the nonprofit partner to the private entity and the city. As stated by the nonprofit bylaws, the intended purpose of donations received by the nonprofit was to improve the comfort of animals in the shelter, assist in the shelter expense associated with adoptions and return of animals to owners, and to reimburse the shelter for veterinary services provided for emergency and low-income cases. With regard to this last purpose, the shelter vet was to submit receipts to the nonprofit organization for review and the reimbursements were to be approved by at least two members of the board of directors. However, different interpretations were given to "reimbursable expenses." Unsolicited donations in excess of $50,000 were quickly raised by the nonprofit group based on the positive press coverage, but the private partner complained that reimbursement for the charitable care provided by the shelter was hard to come by. The shelter vet commented that, "At times we felt as though those monies were being held hostage because there was a lack of agreement on what constituted appropriate care. The nonprofit questioned the use of funds, particularly for complex surgeries or long-term care situations" (Shelter veterinarian and manager, personal communications, January 14, 2011).

The volunteer resources provided through the nonprofit organization also presented some governance confusion. Volunteers were routinely utilized at the shelter to exercise sheltered animals. These volunteers also saw it as their responsibility to be advocates for animal welfare and to raise concerns related to individual animal care and overall shelter conditions. The private partner indicated that "incidents and issues were often reported back to the nonprofit organization rather than to us and sometimes an incorrect interpretation of the situation was formed. Often, there were sound reasons based in professional veterinary or shelter practice for handling a situation in a certain way, but a volunteer would not have that perspective" (Shelter veterinarian and manager, personal communications, January 14, 2011).

The Process

Accountability. As an essential element to partnership success, shared accountability within the partnership was at times lacking. The contract between the veterinary partner and the city government specified the level of remuneration, the contract periods and selected benchmarks of performance. However, regular means of and foci for reporting of shelter results to the city council were not stipulated. The reporting requirements of the private partner to the nonprofit entity in terms of services rendered in exchange for donative support were unspecified. Likewise, the level of contributions gathered on behalf of the shelter by the nonprofit entity was not regularly disclosed. Because routine methods of accountability were not established, speculation and inaccurate assumptions about results and finances filled the void and contributed to an atmosphere of distrust among the partners – particularly between the private and nonprofit organizations.

Communication. Each of the aforementioned tensions was exacerbated by ineffective communication among the partners. Few regular opportunities for interaction were established at the outset of the contract and when interaction did occur, it was largely centered on ad hoc complaints or problem resolution. As the issue of reimbursable expenses became contentious, communication between the private and nonprofit partners broke down further, leading the private partner to consider aligning with another animal support nonprofit that was perceived to be easier to work with.

While internal communication suffered, communication with public stakeholders through the local media initially was quite positive. For the first eighteen months of the arrangement, the local media frequently touted the improvements in the shelter under the new arrangement (Lambert, 2009). A major turn of events occurred, however, at the end of the second year. Volunteer allegations of animal mistreatment at the shelter and inappropriate euthanasia began to be reported in the media. Local animal activists became involved in questioning the shelter management and practices. While municipal authorities investigated and found no conclusive evidence of mistreatment or improper practice, the city bore the heavy pressure of animal groups to make a management change. Ultimately, the city did not renew the third year of the contract with the private partner. Interestingly, however, city officials maintained confidence in the benefits of a privatized arrangement for the animal shelter and within a matter of a few months of discontinuing the first privatization contract, sought bids from other prospective partners for the future management of the shelter.

Performance Measurement and Lessons Learned

This case illustrates the potential of public-private-nonprofit partnerships when each partner brings its respective strengths to the table. Indeed, in this case, the public stressed accountability and assured necessary funding for and protection of the public interest in animal control matters. The private partner emphasized efficiency and introduced innovation and a new level of operational productivity to the operation. And the nonprofit was concerned with equity and was true to its mission and advocacy orientation in support of better overall outcomes for animals. The initial results were marked improvements at the animal shelter which were externally recognized and commended.

However, a question that this case raises is whether the differing orientations of the private, public and nonprofit sector partners are, in the long-term, reconcilable in provision of local government services such as animal sheltering. This case shows that while common allegiance to a mission statement is easy to achieve at the outset, translation of that mission to daily practice differs by sector. While many cities have achieved productive privatization arrangements in certain fields of programs and services (often in the area of utilities and basic services), these arrangements generally have involved the reconciliation of interests between two partners (public and private, or public and nonprofit). Three partners may simply complicate the arrangement to the point of dysfunction with one partner being the "odd man out" in pursuing organization goals.

The Future

There are potentially fatal pitfalls associated with collaborative arrangements that are based on, as Linder (2002) aptly describes it, "partnering at a distance." In this case, vague contractual obligations, limited mutual accountability and differences in mission and goal definition undermined the long-term stability of the partnership. In many respects, it would appear that these threats could have been avoided by a strengthening of the partnership infrastructure at the outset. In addition, regular and routine attention to goals, structure and governance, accountability and communication, would have helped avoid the ultimate breakdown in the arrangement. Time will tell whether lessons were learned in this city's first foray into shelter privatization which will lead to a more productive arrangement in the future. The city is to be commended for not giving up after one ill-fated effort. Further, additional attempts at multi-sector partnering in other locations and those arrangements not burdened with the contentious issues surrounding animal welfare may hold more promise in delivering the inherent benefits such partnerships hold.

About the Author

Julie Pietroburgo is an Associate Professor in the Department of Public Administration and Policy Analysis at Southern Illinois University Edwardsville in Edwardsville, Illinois. Dr. Pietroburgo teaches courses in Organizational Theory, Fundraising, Granstmanship and Nonprofit Management. She has published in the area of nonprofit organizational change and management, with particular focus on the transition of associations and nonprofit organizations to new organizational forms as well as on public, private and nonprofit sector partnerships. Dr. Pietroburgo received her Ph.D. from Saint Louis University in 2002. Prior to her academic career, Dr. Pietroburgo worked in the private sector as a Director of Government Relations for Southwestern Bell and in the nonprofit sector as a Development Director. She can be reached at jpietro@siue.edu.

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