

RESOLUTION NUMBER R- 311732

DATE OF FINAL PASSAGE MAY 10 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF THE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HUMANE SOCIETY FOR ANIMAL CONTROL AND SERVICES, AUTHORIZING THE EXPENDITURE OF UP TO \$20,405,721.50 IN FY 2019 – 2020 FOR ANIMAL CONTROL AND SERVICES, AUTHORIZING THE EXECUTION OF A LEASE OF CITY-OWNED REAL PROPERTY LOCATED AT 5480 GAINES STREET IN SAN DIEGO FOR USE AS AN ANIMAL SERVICES SHELTER, MAKING A DETERMINATION THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING RELATED ACTIONS.

WHEREAS, the County of San Diego will no longer be providing animal control or services for the City of San Diego (City) effective July 1, 2018; and

WHEREAS, the City issued a Request for Information (RFI) on or about October 12, 2017 to prospective providers for animal control and services to be provided to the City; and

WHEREAS, the San Diego Humane Society (Contractor) was the only respondent to the City's RFI and therefore the City determined that a sole source contract was applicable; and

WHEREAS, a sole source certification was authorized by Purchasing and Contracting for these services; and

WHEREAS, the City has determined that the Contractor has the expertise, accreditation, experience and personnel necessary to provide the services; and

WHEREAS, the City wishes to retain Contractor to perform animal control and services for an eighteen month term effective July 1, 2018, with two additional one (1) year options and one additional 18-month option for a total of five (5) years through June 30, 2023; and

WHEREAS, the cost of the initial eighteen month term of the contract is estimated to be \$20,405,721.50; and

WHEREAS, the costs for the initial eighteen month term will be paid in Fiscal Year 2019 and Fiscal Year 2020; and

WHEREAS, the estimated costs include on-going costs from the General Fund (Fund 100000) and one-time start-up expenditures from the Shelter Campaign Fund (Fund 200470); and

WHEREAS, the City's Purchasing and Contracting Department is requesting Council authorization to spend \$20,405,721.50 for the initial eighteen months of the contract for animal control and services; and

WHEREAS, the City and Contractor have agreed to review the contract after the initial eighteen months in order to evaluate the service and performance measures and the yearly contract costs; and

WHEREAS, after the review of the contract and before the initial eighteen months of the contract expires, the City will return to Council to seek additional authorization from Council for funding for the two additional one (1) year options and one additional 18-month option, under the terms and conditions set forth in the contract for animal control and services; and

WHEREAS the contract will exceed \$1,000,000 in total expenditures over the total five year-contract period; and

WHEREAS, contracts which exceed \$1,000,000 require San Diego City Council approval in accordance with San Diego Municipal Code section 22.3206(e);

WHEREAS, the City has agreed to lease property to the Contractor related to the animal control and services contract; and

WHEREAS, the City of San Diego owns certain improved real property consisting of an approximately 38,000 square-foot building with surface parking located at 5480 Gaines Street, San Diego, California (Property), and commonly known as the Animal Services Central Shelter; and

WHEREAS, as appraised by an independent fee appraiser, the market value of the Property is \$8,224,000.00; and

WHEREAS, the City has negotiated a lease of the Property with the San Diego Humane Society, for an initial term of 18 months with two additional one-year extension options and one additional 18-month extension option, under the terms and conditions set forth in that lease on file with the Office of the City Clerk as Document No. 18-311732, for the purpose of and in exchange for the San Diego Humane Society providing the services required under the Animal Services Contract; and

WHEREAS, the Council's authorization will ensure that the citizens of San Diego continue to receive animal services effective July 1, 2018; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee, for and on behalf of the City, is authorized to award and execute a contract with the San Diego Humane Society to provide animal control and services for a term of eighteen months effective July 1, 2018, with two additional one (1) year options and one additional 18-month option for a total of five (5) years through June 30, 2023.

BE IT FURTHER RESOLVED, that in Fiscal Year 2019 the Chief Financial Officer is authorized to expend an amount not to exceed \$10,954,135 from Fund 100000, General Fund, and \$1,800,000 from Fund 200470, Shelter Campaign Fund, for the purpose of executing the contract with San Diego Humane Society for animal control and services (resulting from RFI Number 10089287-17), contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED, that in Fiscal Year 2020 the Chief Financial Officer is authorized to expend an amount not to exceed \$5,477,067.50 from Fund 100000, General Fund, and up to \$2,174,519 from Fund 200470, Shelter Campaign Fund and Fund 100000, General Fund, for the purpose of executing the contract with San Diego Humane Society for animal control and services, contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasury.

BE IT FURTHER RESOLVED that the City staff will return to Council for further authorization to fund additional contract terms if the parties choose to exercise their options to do so.

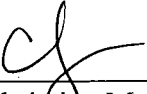
BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized and directed to execute and deliver the lease, on file with the Office of the City Clerk as Document No. 311732 between the City of San Diego, as lessor, and the San Diego Humane Society, a 501(c)(3) corporation, as lessee, for city-owned real property consisting of an approximately 38,000 square-foot building with surface parking located at 5480 Gaines Street in San Diego, California.

BE IT FURTHER RESOLVED that the Mayor, or designee, is authorized to amend and extend the lease, on file with the Office of the City Clerk as Document No. RR311732 between the City of San Diego, as lessor, and the San Diego Humane Society, a 501(c)(3) corporation, as lessee, only to the extent necessary to maintain consistency with the terms and duration of the Animal Control and Services Contract.

BE IT FURTHER RESOLVED that the City Council determines that the actions being taken in this Resolution are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State of California CEQA Guidelines as the actions involve the operation, maintenance, or repair of existing public or private structures, with negligible or no expansion of use, and no exception to the categorical CEQA exemption applies.

BE IT FURTHER RESOLVED that the City Clerk is directed to file a Notice of Exemption regarding the project with the Clerk of the Board of Supervisors for the County of San Diego.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Christina M. Milligan
Deputy City Attorney

JSC:CMM:jdf
April 18, 2018
Or.Dept:HR
Doc. No.: 1736885

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 30 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/10/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 30 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 10 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Aty Beach*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311732