

RESOLUTION NUMBER R- 312803

DATE OF FINAL PASSAGE DEC 19 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN AMENDMENT TO THE SERVICE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HUMANE SOCIETY, AUTHORIZING ADDITIONAL FUNDING FOR ANIMAL CONTROL AND SERVICES, AND DETERMINING THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, on April 30, 2018, by San Diego Resolution R-311732 (May 10, 2018) (R-311732), the City Council (Council) authorized the City of San Diego (City) to enter into a Service Agreement with the San Diego Humane Society (Contractor) for animal control and services, on file with the City Clerk as RR-311732-1, and

WHEREAS, by Resolution R-311732, the Council also authorized a Lease of real property located at 5480 Gaines Street, San Diego, California (Property), commonly known as the Animal Services Central Shelter, on file with the City Clerk as RR-311732-2; and

WHEREAS, the terms of the Service Agreement and Lease are coterminous and both are for eighteen months effective July 1, 2018, with two additional one (1) year options and one additional eighteen-month option for a total of five (5) years through June 30, 2023; and

WHEREAS, on December 31, 2019, the initial eighteen-month terms of the Service Agreement and Lease expire and as previously authorized by Resolution R-311732, the City will exercise the first option year from January 1, 2020 to December 31, 2020, for both the Service Agreement and the Lease; and

WHEREAS, prior to exercising the first option year, the City and Contractor reviewed the Service Agreement to evaluate the service and performance measures and the yearly contract costs; and

WHEREAS, the review resulted in revisions to some of the service specifications and reporting requests in the Service Agreement to more accurately reflect working processes established over the initial eighteen months of the contract and other minor clarifications; and

WHEREAS, these revisions are reflected in a Second Amendment to the Service Agreement; and

WHEREAS, a First Amendment to the Service Agreement was executed pursuant to section 22.3018 of the San Diego Municipal Code prior to the start of operations on July 1, 2018, to document the transfer of assets to be used by the Contractor in performance of services as contemplated by the contract; and

WHEREAS, when Council authorized the Service Agreement pursuant to Resolution R-311732, it also authorized initial funding of \$20,405,722 for the first eighteen months of the contract; and

WHEREAS, staff agreed to return to Council before exercising the option years, to seek authorization for additional funding; and

WHEREAS, additional funding of \$602,477.50 is needed for ongoing expenditures for the latter half of FY 2020; and

WHEREAS, an additional amount of \$49,292,653 is needed to fund the Service Agreement another three and half years, until June 30, 2023, when the contract term expires; and

WHEREAS, the initial funding of \$20,405,722 along with additional funding of \$49,292,653 totals an amount of approximately \$69.7 million over the full five years of the contract; and

WHEREAS, the contract will exceed \$1 million in total expenditures over the total five year-contract and requires Council approval in accordance with San Diego Municipal Code section 22.3206(e); and

WHEREAS, Council's authorization of the Second Amendment and additional funding will ensure that the citizens of San Diego continue to receive animal control and services until June 30, 2023; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is authorized to approve and execute the Second Amendment to the contract, under the terms and conditions set forth in the Second Amendment to the contract on file in the Office of the City Clerk as Document No. RR- 312803.

BE IT FURTHER RESOLVED, that in Fiscal Year 2020, the Chief Financial Officer is authorized to expend an amount not to exceed \$602,477 from Fund 100000, General Fund, for funding the Service Agreement 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.

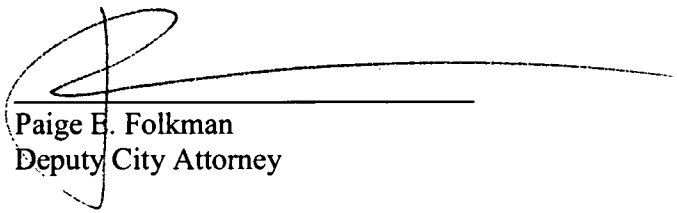
BE IT FURTHER RESOLVED, that the Chief Financial Officer or designee is authorized to increase the funding for the Service Agreement for animal control and services by \$49,292,653 and is authorized to expend a total not-to-exceed amount of \$69,698,374 for the five-year term of the contract, contingent upon the Chief Financial officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED that the 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 
Paige E. Folkman
Deputy City Attorney

PEF:hm:cm
November 18, 2019
Or.Dept:HR
Doc. No.: 2228658

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 17 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/19/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

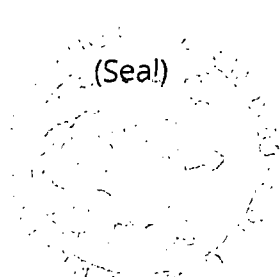
Passed by the Council of The City of San Diego on DEC 17 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 19 2019.

(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.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California
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