

ORDINANCE NUMBER O- **21648** (NEW SERIES)

DATE OF FINAL PASSAGE MAY 25 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR, OR DESIGNEE, TO ENTER INTO A TEN-YEAR AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO HUMANE SOCIETY TO PROVIDE ANIMAL SERVICES, AUTHORIZING THE EXPENDITURE OF UP TO \$16,810,152 FOR FISCAL YEAR 2024 FOR ANIMAL SERVICES, AND AUTHORIZING THE EXPENDITURE OF UP TO \$222,413,170 OVER THE TEN-YEAR AGREEMENT, AND RELATED ACTIONS.

WHEREAS, San Diego Humane Society (Contractor) has provided animal services to the City of San Diego (City) since July 1, 2018, under a five-year agreement set to expire on June 30, 2023; and

WHEREAS, the City issued a Request for Information (RFI) on October 20, 2022, to determine the availability of interested parties who possess the capability to provide animal welfare, enforcement, and related services (Animal Services) within the City of San Diego; and

WHEREAS, the Contractor was the only respondent to the RFI and therefore the City determined that a sole source contract was justifiable; and

WHEREAS, on January 9, 2023, a sole source certification was authorized by Purchasing and Contracting for Animal Services; and

WHEREAS, Contractor is a nonprofit organization that offers a wide range of programs and services that strengthen the human-animal bond, prevent cruelty and neglect, provide medical care, educate the community on the humane treatment of animals, and provide safety net services for all pet families needing assistance with keeping their pets; and

WHEREAS, Contractor currently serves as the Animal Services care provider for 14 local jurisdictions, including the City, within San Diego County; and

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

WHEREAS, the City desires to retain Contractor to perform Animal Services for a ten-year term effective July 1, 2023 through June 30, 2033; and

WHEREAS, the City and Humane Society have negotiated a ten-year Animal Services agreement, under the terms and conditions set forth in that certain Agreement between the City of San Diego and the San Diego Humane Society to provide Animal Services on file with the Office of the City Clerk as Document No. ~~00-21648~~ (Agreement); and

WHEREAS, the cost of the first year of the Agreement is estimated to be 16,810,152 and will be paid from the General Fund (Fund 100000); and

WHEREAS, the City and Contractor have agreed to evaluate the yearly Agreement costs in year three and year six of the Agreement; and

WHEREAS, compensation for Animal Services shall not exceed \$222,413,170 for the entire term of the Agreement; and

WHEREAS, the City Council's authorization will ensure that the citizens of San Diego continue to receive Animal Services effective July 1, 2023; and

WHEREAS, under San Diego Charter section 99, a two-thirds vote of the City Council is required for passage of this Ordinance; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego (Council), as follows:


Section 1. That the Mayor, or designee, is hereby authorized to award and execute that certain animal services agreement, on file in the Office of the City Clerk as Document No. ~~00-21648~~, between the City of San Diego and the San Diego Humane Society for a term of ten years.

Section 2. That the Chief Financial Officer, or designee, is authorized to expend an amount not to exceed \$16,810,152 for Fiscal Year 2024 (Year 1 of the Agreement) in ongoing expenditures from Fund 100000, General Fund, Business Area 1714 contingent upon the City Comptroller's certification of the availability of funds. Contingent upon the passing of the annual appropriations Ordinance, the Chief Financial Officer, or designee, is authorized to expend an amount not to exceed \$222,413,170 over the ten-year term of the Agreement.

Section 3. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By  FOR
Marco A. Verdugo
Deputy City Attorney

MAV:sc
04/20/2023
Or.Dept: PARK & REC.
Doc. No.: 3283646

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 16 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 5/29/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(NOTE: The date of final passage is May 25, 2023, which represents the date this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on MAY 16 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 25 2023

AUTHENTICATED BY:

(Seal)

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 24 2023

, and on MAY 25 2023

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

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