



# City of San Antonio

## Agenda Memorandum

**File Number:**19-6662

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**Agenda Item Number:** 18.

**Agenda Date:** 10/3/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Animal Care Services

**DEPARTMENT HEAD:** Heber Lefgren

**COUNCIL DISTRICT(S) IMPACTED:** City Wide

**SUBJECT:** Approval of a Lease Agreement for the City's Paul Jolly Center for Pet Adoptions & PETCO Pavilion Management

### SUMMARY:

An Ordinance authorizing the City Manager or designee to enter into a lease agreement with the Animal Defense League of Texas (ADL) to operate and manage the Paul Jolly Center for Pet Adoptions and PETCO Pavilion located at 210 Tuleta in Brackenridge Park for a one-year term o with an automatic extension of two years if performance requirements are met, plus the option to renew the lease for one additional three-year term if performance requirements are met. Funding in the amount of \$475,000 for the first year of the contract is included in the Animal Care Services FY 2020 General Fund Adopted Budget.

### BACKGROUND INFORMATION:

The Animal Care Services Department impounds 31,000 pets annually and focuses on four key strategies: 1) Enforcement of existing laws and codes; 2) Controlling the stray animal population; 3) Increasing the City's Live Release rate; and 4) Engaging and educating the public. As a result of these strategic priorities and the collaboration of many rescue organizations, stakeholders, and the community, ACS has achieved and maintained a Live Release Rate of over 90% since FY 2017.

In an effort to manage the City's stray population, the City Council approved in FY 2010 the construction of a new adoption center at Brackenridge Park. In October 2013, the City of San Antonio opened the Paul Jolly Adoption Center (PJAC) located at Brackenridge Park. This adoption center provides the public with an additional location to adopt pets and is currently operated by the Animal Defense League (ADL). The current

lease which began in November 2016 is scheduled to end on October 31, 2019.

On April 19, 2019, the City released a Request for Proposal (RFP) for the operation and facility management of the Paul Jolly Center for Pet Adoptions (PJAC). The City held a pre-submittal conference at Animal Care Services on April 29, 2019 to answer questions of potential Respondents. The proposal was advertised to the public in the San Antonio Express News, the City's Website and TVSA (Time Warner Cable Channel 21) and outreach notices were sent to existing animal care partners notifying them of the RFP and how to apply.

On May 23, 2019 the RFP closed and three responses were received; however, one response was substantially incomplete and deemed non-responsive. On June 4, 2019, an evaluation and interviews were conducted with both firms. Representatives from the City Manager's Office, Animal Care Services Department, Animal Care Services Advisory Board, Human Resources Department, and the San Antonio Zoo evaluated, interviewed and scored both responses based on the published evaluation criteria in the RFP, which included: Experience, Background, and Qualifications (40 points); Proposed Plan (35 points); and Sustainability Plan (25 points). The results of the RFP process were presented to the Audit Committee on August 30, 2019 and the Audit Committee recommended forwarding the selected respondent to City Council for consideration.

Due to the nature of the scope of this RFP based on specific needs for specialized training, the SBEDA Program did not apply to this solicitation.

Recommended award is exception to the Local Preference Program and the Veteran-Owned Small Business Program.

Based on the proposal submission and corresponding interviews, staff recommends entering into agreement with the Animal Defense League of Texas (ADL) for the operation and facility management of the Paul Jolly Center for Pet Adoptions and PETCO Pavilion.

## **ISSUE:**

This Ordinance authorizes a lease between the City of San Antonio and the Animal Defense League for the operation and facility management of the adoption center and pavilion located at 210 Tuleta Dr. in Brackenridge Park for a period of one year with an automatic extension of two years if performance requirements are met. Additionally, there is an option to renew for one additional three year term subject to approval by the City Manager or designee if performance requirements were met during the first three years of the lease. ADL will pay the City an annual rent fee of \$1.00 for the term of the contract.

This lease agreement will help ACS continue to maintain a Live Release rate of over 90%. Under the agreement, the Animal Defense league will be responsible for rescuing 2,000 cats and dogs annually from the City's Animal Care Services facility. ADL also will be responsible for ensuring that these pets are spayed/neutered prior to their adoption, foster, or transfer to another rescue organization. Furthermore, ADL will be responsible for maintaining an event calendar for the use of the pavilion and will allow the structure to be used by themselves, the community, and the City.

During the term of the contract, ADL will be responsible for the day-to-day operations to include staffing, utilities, equipment, and general repairs. All revenue generated from the management of the adoption center and pavilion will be retained by ADL. The initial fee schedule associated with the operation and management of the premises and any future changes must be approved by the City Manager or designee.

Under this lease agreement, the City will provide a per-pet-stipend of \$225 per animal for 2,000 pets for an

estimated annual amount of \$450,000. Should ADL rescue more than 2,000 pets under this contract and is on target with other existing contracts, the City will reimburse for the additional pets contingent upon funding availability. Additionally, the City will make a one-time payment to ADL in the amount of \$25,000 for the replacement and repair of cages/kennels.

#### **ALTERNATIVES:**

Should the lease with ADL not be approved, the following alternatives could be considered:

- City council authorizes the City Manager or designee to negotiate a 60 to 90-day agreement with ADL to continue to operate the Paul Jolly Center at a cost to the City of \$225 per animal rescued. During this period the City could release a Request for Proposal (RFP) to secure a different operator.
- The Animal Care Services Department of the City of San Antonio operates the Paul Jolly Center at an approximate annual cost of \$1 million; this action would require an additional appropriation of \$425,000 beyond the \$475,000 already included in the FY 2020 Adopted Budget.

#### **FISCAL IMPACT:**

Funding for the first year of the contract in the amount of \$475,000 is included in the Animal Care Services FY 2020 General Fund Budget. Of this amount \$450,000 will be used to pay ADL a per-pet-stipend of \$225 per animal for 2,000 pets. \$25,000 will be used for the replacement and repair of cages/kennels. Funding for future years of the contract is subject to city council approval of the annual budget.

#### **RECOMMENDATION:**

Staff recommends the approval of an Ordinance authorizing a lease with ADL to operate and manage the Paul Jolly Center for Pet Adoptions and PETCO Pavilion. This contract is procured by means of Request for Proposals and the Contract Disclosure Form is attached.