



City Council Supplemental Report

CITY OF
**PALO
ALTO**

From: Kristen O'Kane, Community Services Director

Meeting Date: March 18, 2024

Item Number: 8

Report #:2403-2795

TITLE

Supplemental Report - Approval of a Professional Services Agreement (Contract No. C24190819) Between the City of Palo Alto and Pets in Need for a Total Not-to-Exceed Amount of \$7,373,516 for a Five-year Term; and Amend the FY2024 Budget in the General Fund; CEQA status – categorically exempt.

BACKGROUND

This Supplemental Report provides responses to comments received from members of the public by email on March 15, 2024, and March 17, 2024.

COMMENT: Dog licensing is a requirement by Palo Alto Municipal Code (language included below) and dog licenses have historically been available for in-person service at the shelter. This change will affect the compliance with city ordinance, particularly for those who have challenges using or accessing technology. Recommend Pets in Need to continue issuing licenses at the front office during adoptions, spay/neuter, vaccination clinic and regular walk-ins. Either remitting the fees to the City or retaining the fees.

EXHIBIT "A" SCOPE OF SERVICES

II. PETS IN NEED RESPONSIBILITIES:

8. Licensing and other fee collection

b) When needed, CONSULTANT shall assist walk-in customers to navigate the online application process or provide a paper application and assist in filling out, as appropriate.

RESPONSE: The Term Sheet approved by the Council on August 14, 2023 assigns licensing to the City and this is supported by the Police Department who will be responsible for licensing. Pets in Need will continue issuing licenses until the Police Department can hire a staff person to take on this role. When that transition does occur, PIN will assist customers who come into the shelter by helping them fill out a paper application or online application while at the shelter, as well as provide instructions about how to complete the licensing process at home. Pets in Need is committed to providing a high level of customer service to ensure licenses are accessible to residents and will continue to advocate for licensing.

COMMENT: Increased cost to the City that was previously not discussed. It was not discussed that the City would take financial responsibility for after-hours for ALL animals (Pets In Need out-of-jurisdiction transfers, out-of-jurisdiction surrenders, or animals from in-jurisdiction that are off stray hold). This should only apply for animals currently on stray hold from Palo Alto and contract cities (Los Altos and Los Altos Hills). Recommend changing the language to reflect limited financial responsibility.

EXHIBIT "A" SCOPE OF SERVICES

II. PETS IN NEED RESPONSIBILITIES:

2. Medical Services

a) CONSULTANT shall provide supplies, and professional and trained personnel, employed or under subcontract or contract, necessary to perform the following services ("Medical Services"): Provision of veterinarian services 8.5 hours per day, six days a week to treat and provide veterinarian care for impounded animals, including for animals picked-up by Animal Control Officers. Upon City approval, City shall pay for any after-hours emergency vet services, notwithstanding animals on stray hold, City shall pay for any after-hours emergency vet services. After hours is defined as 5pm - 8:30am Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday, and all day and night Sunday.

RESPONSE: The City does not and will not have financial responsibility, including after-hours medical care for any out-of-jurisdiction animals that are transferred by Pets in Need or surrendered to the shelter. Out-of-jurisdiction animals include those that originate from a location other than Palo Alto, Los Altos, or Los Altos Hills. The Term Sheet states that the City of Palo Alto is only responsible for after-hours animals on stray hold from Palo Alto, Los Altos, and Los Altos Hills (in-jurisdiction). After-hours emergency medical care for in-jurisdiction animals not on stray hold requires City approval before care is provided. City and PIN staff will develop a policy to specifically outline the process for how care will be requested and approved.

COMMENT: Potential increased cost to the City and loss of services. Pets In Need has been taking responsibility for arranging transport for wildlife since they took over operations in Palo Alto, it should be stated clearly to avoid future changes to services. Recommend adding sentence, "Consultant is responsible for arranging transport to Peninsula Humane Society" to exhibit for clarification.

EXHIBIT "A" SCOPE OF SERVICES

II. PETS IN NEED RESPONSIBILITIES:

2. Wildlife

a) The impoundment of wildlife shall be managed by CONSULTANT staff. An assessment of wildlife shall be done by medical staff, if necessary. If the animal is severely injured or sick, a licensed veterinarian shall be consulted, and the case shall be fully documented in accordance with AVMA guidelines. This Agreement assumes that all wildlife animals will continue to be transferred to the Peninsula Humane Society at no cost to the CITY or to CONSULTANT, as set forth in the Memorandum of Understanding between CONSULTANT and Peninsula Humane Society dated November 17, 2017. Should Peninsula Humane Society request fees for wildlife intake, CONSULTANT and the CITY shall negotiate in good faith to amend this Agreement per Section 27.4 herein, to provide for the reimbursement by CITY to CONSULTANT of such fees (upon documentation of such fees by CONSULTANT reasonably satisfactory to CITY).

RESPONSE: This language is unchanged from the 2019 Agreement and PIN continues to arrange transportation for wildlife to the Peninsula Humane Society.

COMMENT: I urge you to remove this item from your agenda because Pets in Need has not filed its required registration as a non-profit public benefit corporation with the California Attorney General as required by law:

<https://rct.doj.ca.gov/Verification/Web/Details.aspx?result=d2811076-c196-4bb6-8f83-58403ffa1663>

RESPONSE: Pets in Need has submitted its RRF-1 document to the State Registry of Charities and Fundraisers as required and on-time via registered mail prior to the 3/15/24 due date. Pets in Need uses a professional accounting firm, Armanino, to submit their tax return and required forms each year. Pets in Need's fiscal year is May 1st - April 30th and has until September 15th to file these documents and typically files for an allowable six-month extension, extending the due date to March 15th. A screenshot from the State's [website](#) is shown below. The current status is *Current - Awaiting Reporting*, which is assigned to charity registrants that have not submitted their filing by the renewal due date but are still within the IRS extension period.

The screenshot shows the header of the State of California Department of Justice Office of the Attorney General website. Below the header is a navigation menu with links for HOME, ABOUT, MEDIA, CAREERS, REGULATIONS, RESOURCES, PROGRAMS, and CONTACT. A red banner indicates a service disruption: "SERVICE DISRUPTION - Site will be unavailable intermittently from Wednesday March 20th, 2024 5:30 PM to Thursday March 21st, 2024 6:30 AM." Below this is a search instruction: "Click on the Organization Name for details about the registration or report record. The maximum number of records shown per page is 50. If there are multiple pages of the search results, the clickable page numbers will be displayed at the bottom. If you get too many results or do not find the organization for which you are searching, click the 'Search Again' button and change the search criteria. It is best to search by something that is as unique to the organization as possible such as State Charity Registration Number, FEIN, SOS Corporate Number, or an unusual portion of their name. To see all registration and report records associated with an organization, avoid searching by State Charity Registration Number as that is record-specific." Below the instruction is a "Search Again" button. The search results are displayed in a table with the following columns: ORGANIZATION NAME, RECORD TYPE, REGISTRY STATUS, RCT NUMBER, FEIN, CITY, and ST. The table contains one row for "PETS IN NEED" with the following details: RECORD TYPE: Charity Registration, REGISTRY STATUS: Current - Awaiting Reporting, RCT NUMBER: 008549, FEIN: 946139667, CITY: REDWOOD CITY, ST: CA. A page number "1" is shown at the bottom left of the table.

ORGANIZATION NAME	RECORD TYPE	REGISTRY STATUS	RCT NUMBER	FEIN	CITY	ST
PETS IN NEED	Charity Registration	Current - Awaiting Reporting	008549	946139667	REDWOOD CITY	CA

APPROVED BY:
Kristen O'Kane, Community Services Director