



Legislation Text

File #: 15-0263, **Version:** 1

Recommendation to authorize City Manager to execute a new Cooperative Agreement and any necessary documents with the Friends of Long Beach Animal Shelter, doing business as Friends of Long Beach Animals, to provide for the shared use of a newly-installed dual-purpose veterinary clinic at the P.D. Pitchford Companion Animal Village, for a term of five years, with two, five-year renewal options at the discretion of the City Manager, or his designee. (District 5)

On January 21, 2014, the City Council accepted the donation of a new manufactured commercial building from the Friends of Long Beach Animal Shelter, a California non-profit public benefit corporation, doing business as Friends of Long Beach Animals (FOLBA) (see attachment). On May 13, 2014, FOLBA began installation of the commercial building at the P.D. Pitchford Companion Animal Village (Animal Village), located at 7700 East Spring Street, with an expected completion in 2015. Upon completion, the newly-installed building will be outfitted and equipped to serve as a dual-purpose veterinary clinic (DPVC) for use by the Department of Parks, Recreation and Marine's (PRM) Animal Care Services Bureau (ACS) and FOLBA.

ACS and FOLBA have negotiated a new Cooperative Agreement, which outlines and provides for the shared use of the DPVC by each party. The general terms of the proposed Cooperative Agreement are summarized as follows:

- Term: Five years, to commence upon full execution of the Cooperative Agreement, with two five-year renewal options at the discretion of the City Manager or his designee.
- Shared Use by ACS: ACS shall have exclusive and primary use of the DPVC, for up to five days per week, to provide for the clinical treatment of animals under its care. ACS may alter its designated days of use by providing 45 days advance notice to FOLBA. In addition, ACS shall have priority use of the DPVC during health and safety emergencies, as defined by ACS and/or pursuant to mutual aid obligations for ACS, even if FOLBA is scheduled to use the DPVC.
- Shared Use by FOLBA: FOLBA shall have exclusive use of the DPVC, for up to two days per week, for the provision of low-cost spay/neuter services, microchip services, and pet vaccines for the general public.
- Third-Party Use: No other party may use the DPVC without the mutual consent of both ACS and FOLBA.

- Utilities, Maintenance, and Custodial: The City of Long Beach (City) shall provide and pay for all utilities to the DPVC, and maintain it as it would any City facility or building. ACS and FOLBA shall each be responsible for their own custodial and upkeep, including trash removal, during their respective periods of use.
- Outfitting/Equipment: ACS and FOLBA shall each be responsible for outfitting and equipping their portion of the DPVC.
- Staffing: At its discretion, and during its use, FOLBA shall hire, supervise, and compensate the staff it needs to operate the DPVC. FOLBA shall pay any applicable taxes, withholdings, workers' compensation insurance, and all other standard requirements of employers. FOLBA may also use volunteers, provided they meet the same requirements and undergo the same orientation and training as the ACS Rescue Partners volunteers. FOLBA shall also be solely responsible for supervising its contractors and/or volunteers.
- Controlled Substances: FOLBA and ACS shall each maintain their own supply of medicines and drugs, which may include controlled substances, as defined by federal, state and/or local laws. Both parties shall enforce the controls required by those laws, and each will be responsible for the security of their controlled substances.
- Permits, Certifications, and Licensure: FOLBA shall procure and maintain its own DPVC Use Permit from the California Veterinary Medical Board, its own Drug Enforcement Agency Registration Certificate, and all applicable federal, state, county and/or local licenses, permits, and certifications.
- Insurance/Program Liability: FOLBA shall procure and provide insurance, as defined and/or accepted to sufficiency by the City's Risk Manager, on an annual basis or upon policy renewal and/or change.

City Council approval of this action shall be in its role as landowner and not in its role as a local regulatory agency. FOLBA shall be responsible for obtaining all applicable licenses, certifications, permits and/or approvals from the State of California and the County of Los Angeles, as well as the City's Department of Development Services, Financial Management Department and/or Department of Public Works.

This matter was reviewed by Deputy City Attorney Kendra L. Carney on March 2, 2015, and by Budget Management Officer Victoria Bell on March 4, 2015.

City Council action is requested on March 24, 2015, in order to enable the Friends of Long Beach Animals to complete the installation of the dual-purpose veterinary clinic, and to begin the process of outfitting, equipping, and using the facility as soon as possible.

There will be no impact to the General Fund associated with approval of the proposed Cooperative Agreement. The recommended action will result in a positive impact on jobs. FOLBA anticipates that it will need to hire approximately five part-time employees to adequately staff the DPVC.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER