



# San Bernardino County

## Legislation Text

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**File #: 8018, Agenda Item #: 58**

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**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

**May 23, 2023**

**FROM**

**JOSHUA DUGAS, Director, Department of Public Health**

**SUBJECT**

Revenue Contract with City of Victorville for Animal Shelter Services

**RECOMMENDATION(S)**

1. Approve revenue contract, including non-standard terms, with the City of Victorville for the provision of animal shelter services, in an amount not to exceed \$50,000, for the period of May 23, 2023 through May 22, 2024.
2. Authorize the Department of Public Health - Animal Care to loan a limited number of animal care and housing equipment to the City of Victorville for the purpose of sheltering and caring for their sheltered animals for the term of the revenue contract.

(Presenter: Joshua Dugas, Director, 387-9146)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

This item does not impact Discretionary General Funding (Net County Cost). The Department of Public Health (DPH) may receive revenue up to \$50,000 for the provision of limited animal shelter services to the City of Victorville (City). The costs associated with these services will be reimbursed by the City on an actual cost basis. Adequate appropriation and revenue have been included in the DPH 2022-23 budget and will be included in the DPH 2023-24 recommended budget.

**BACKGROUND INFORMATION**

Under the terms of the recommended revenue contract, DPH Animal Care (AC) will provide limited animal shelter services at the Devore Animal Shelter to the City on a case-by-case basis dependent on available space. Animal shelter services include accepting, caring for, and seeking placement of animals accepted on behalf of the City, and providing for other dispositions of animals as allowed within State, County, and local laws. AC will also lend animal housing units, such as kennels, cages, and pens, to City to temporarily house stray animals in a City facility.

On April 12, 2023, the City met with AC to discuss provision of animal shelter services. The City advised the County that its current animal shelter services provider would no longer provide services effective April 30, 2023. AC determined that emergency animal housing assets, including temporary portable kennels and

cages, could be lent to City for its use. In addition, the City requested that AC consider accepting animals on a case-by-case basis if the temporary animal shelter facility (Shelter) the City proposes to establish should become overcrowded.

The City has established a Shelter in an existing City building. The cost contained within this agreement is a fraction of the City expenditures for its animal services program, including operation of this newly established shelter. This revenue contract will provide support to the City in operating the newly established shelter pending a longer-term solution, such as building a new permanent shelter. AC's preference is for the City's animals to remain in the High Desert region of the county. Offering shelter services at the Devore Animal Shelter will be considered if the City exceeds capacity in the current facility and requests AC's support and assistance.

The revenue contract contains a non-standard term that differs from the County standard contract. While the parties negotiated certain contract terms to County standards, the City would not agree to the following standard term:

1. The County and requires the City to indemnify the County except as to "(a) such claims, actions, losses, damages, and/or liability are caused by the active, passive, or sole negligence or willful misconduct of the County, its authorized officers, employees, agents and volunteers; or (b) such indemnification is prohibited by law."
  - Standard County Policy requires the contracting party to indemnify the County in all instances arising out of the contract except for when the County is solely negligent or instances of willful misconduct of the County within the meaning of Civil Code section 2782.
  - Potential Impact: In the event damage is incurred by any individual or party, the County may be liable for damages if the injury is the result of the County's negligent or willful misconduct.

AC requests approval of this contract, including non-standard terms, to lend specific animal housing and care equipment to the City with the understanding the City will maintain the equipment and replace any equipment that becomes lost, damaged, or stolen at the City's expense. In addition, the contract provides for the City's responsibilities and actual cost recovery for services provided to the City to house and care for unwanted pets that may be delivered to the County's animal shelter on behalf of the City.

## **PROCUREMENT**

N/A

## **REVIEW BY OTHERS**

This item has been reviewed by Human Services Contracts (Patty Steven, 388-0241) on May 2, 2023; County Counsel (Daniel Pasek, Deputy County Counsel, 387-5455) on May 2, 2023; Finance (Paul Garcia, Administrative Analyst, 386-8392) on May 4, 2023; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on May 8, 2023.