



Office of the City Manager

CONSENT CALENDAR
APRIL 20, 2021

To: Honorable Mayor and Members of the City Council
 From: Dee Williams Ridley, City Manager
 Submitted by: Amelia Funghi, Animal Services Manager
 Subject: Contract No. 32100053 Amendment: Orsolya Kuti, DVM for services at the Dona Spring Animal Shelter

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 3210053 with Orsolya Kuti, DVM adding \$4,800 to provide free spay and neuter surgeries at the Dona Spring Animal Shelter to eligible low/no-income and homeless pet owners who reside in Berkeley, Albany, Emeryville or Piedmont. Authorize the receipt of additional donations up to a total of \$40,000 over the three year period of FY 2021, FY 2022 and FY 2023, for a total contract amount not to exceed \$220,000.

FISCAL IMPACTS OF RECOMMENDATION

Berkeley Animal Care Services (BACS) holds a contract ending July 14, 2023 in the amount of \$180,000 with Orsolya Kuti, DVM to provide on-site veterinary services at the Dona Spring Animal Shelter. The amendment in the amount of \$4,800 was deposited in the FY 2021 budget in the Animal Shelter fund (Fund 115-21-203-000-0000-000-424-612410) and will be expended from the same account. Friends of BACS has donated \$4,800 to BACS to be used for Dr. Kuti to provide free spay/neuter surgeries to eligible pet owners two days per month for a period of four months. The funds will be appropriated in the Second Amendment to FY 2021 Annual Appropriations Ordinance. The donated funds will be deposited into Animal Shelter Fund: 115-21-203-000-0000-000-000-481110-. Based on demand for service, Friends of BACS may continue to donate funds in FY 2022 and/or FY 2023, not to exceed \$40,000 for the same purpose. No additional City funds will be used in the amended contract.

CURRENT SITUATION AND ITS EFFECTS

Many low/no-income pet owners attempt to access spay and neuter services for their pets but are unable to afford the cost of surgery through local veterinary clinics. There are two low cost, high volume spay and neuter clinics in the East Bay: Fix Our Ferals in Richmond and East Bay SPCA in Oakland. The demand for low cost spay and neuter surgeries at these two clinic far outweighs the available supply of appointments. Both clinics consistently have a four month waiting period for available appointments. As a result of this situation, many pets that are at high risk of reproducing will remain unfixed and reproduce due to lack of affordable and free spay/neuter services.

BACKGROUND

BACS currently contracts with Dr. Orsolya Kuti, and the contracted Scope of Services allows for Dr. Kuti to provide on-site veterinary services at the Dona Spring Animal Shelter two days per week for a maximum of 16 hours per week. The majority of these hours are spent providing exams, procedures and spay/neuter surgeries for animals in the shelter. Typically, time allows for two to four spay/neuter surgeries to be provided each week for non-shelter animals that are owned by low/no income or homeless pet owners. While these surgeries help the individual pet owners, these two to four surgeries are of minimal consequence compared to the need for free spay/neuter.

RATIONALE FOR RECOMMENDATION

The East Bay Area demand for free spay/neuter surgeries for low/no income and homeless pet owners far outweighs the availability. BACS surgery clinic is currently in use only two days per week. Dr. Orsolya Kuti is available for an additional two days per month to provide spay/neuter surgeries. Friends of Berkeley Animal Services has donated \$4,800 to provide spay/neuters for an additional two days per month for four months with the option to donate a total up to \$40,000 total over combined years FY 2021, FY2022 and FY 2023

ALTERNATIVE ACTIONS CONSIDERED

Consideration was given to requesting additional funds for the Spay Neuter Your Pet (SNYP) city funded grant that is awarded to community nonprofits that serve low/no income and homeless pet owners. This grant subsidizes the recipient organizations \$120 per surgery enabling them to provide surgeries to eligible pet owners for free. Because these organizations rely on the East Bay spay/neuter clinics that have four month waiting lists, this alternative would do nothing to increase the supply of available free spay/neuter surgeries.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

CONTACT PERSON

Amelia Funghi, Animal Services Manager, (510) 981-6603

Attachments:

1. Resolution
2. Contract Amendment

Animal Services Contract with Orsolya Kuti, DVM
for services at the Dona Spring Animal Shelter

Consent Calendar
April 20, 2021

RESOLUTION NO.

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AND AMENDMENTS WITH ORSOLYA KUTI, DVM TO INCLUDE FUNDS DONATED BY FRIENDS OF BERKELEY ANIMAL CARE SERVICES TO PROVIDE NO COST SPAY AND NEUTER SURGERIES TO ELIGIBLE PET OWNERS FOR FY2021, FY2022, FY2023 WITH A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$220,000

WHEREAS, The City of Berkeley contracts with Orsolya Kuti, DVM to provide on-site veterinary services at the Dona Spring Animal Shelter; and

WHEREAS, The need for free spay/neuters among low/no income and homeless pet owners residing in Berkeley, Albany, Emeryville and Piedmont exceeds the available supply; and

WHEREAS, Friends of Berkeley Animal Services has donated \$4800 to be used to amend the contract with Orsolya Kuti, DVM; and

WHEREAS, Friends of BACS can continue to donate funds in FY2022 and/or FY2023, based on demand for service for a total not to exceed \$40,000; and

WHEREAS, Donated funds will be deposited in the Animal Shelter fund (Fund 115-21-203-000-0000-000-424-612410) and will be expended from the same account.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute Contract No. 32100053 and amendments with Orsolya Kuti, DVM for veterinary services for FY2021-FY2023 in the amount of \$220,000.

AMENDMENT TO CONTRACT

THIS CONTRACT is entered into on May 1, 2021 between the CITY OF BERKELEY ("City"), a Charter City organized and existing under the laws of the State of California, and Orsolya Kuti, DVM ("Contractor") a sole proprietor, doing business at 3225 Idaho Street Berkeley CA 94702.

WHEREAS, City and Contractor previously entered into Contract Number 32100053, dated July 15, 2020, which Contract was authorized by the Berkeley City Council by the City Manager of the City of Berkeley.

WHEREAS, on April 20, 2021, by Resolution No. -N.S., the Berkeley City Council authorized amendment of said Contract as set forth below.

THEREFORE, City and Contractor mutually agree to amend said Contract as follows:

1. Section 1 is amended to read as follows:

SCOPE OF SERVICES

Contractor agrees to provide all services described in Exhibit A.2 in accordance with stated terms and conditions. Exhibit A.2 is attached and made part of this contract

2. Section 2 is amended to read as follows:

PAYMENT

For services referred to in Section 1, City will pay Contractor a total amount not to exceed \$ 220,000. City shall make payments to Contractor in accordance with provisions described in Exhibit B.2, which is attached to and made part of this Contract.

TERM

This Contract shall begin on May1, 2021 and end on July 14, 2023_. The City
Manager of the City may extend the term of this Contract by giving written notice.

In all other respects, the Contract dated July 15, 2020, shall remain in full force and
effect.

IN WITNESS WHEREOF, City and Contractor have executed this Contract as
of the date written in the first paragraph of this Contract.

CITY OF BERKELEY

By _____
City Manager

THIS CONTRACT HAS BEEN
APPROVED AS TO FORM BY
THE CITY ATTORNEY FOR
THE CITY OF BERKELEY
10/2019

Registered on behalf of the City Auditor by:

Finance Department

Attest:

Deputy City Clerk

CONTRACTOR

Name (Printed)

By _____
Signature and Title

EXHIBIT A.2

SCOPE OF SERVICES

1. Veterinary Services

Veterinary services may include, but are not be limited to, examining shelter animals, diagnosing and treating sick or injured animals, and providing guidance to staff regarding follow-up treatment. Weekly services may include approximately 12-20 spay/neuter surgeries, 15 medical exams, and 4 other surgeries (e.g., dentals, laceration repair, lumpectomy).

2. Schedule of Services

Veterinary services shall be provided at the City Animal Shelter up to 3 days per week, 8 hours per day, not to exceed 24 hours per week.

3. Administration of the Rabies Vaccination Program

Contractor shall oversee administration of the rabies vaccination program and observe quarantined animals as requested by the shelter manager.

4. Professional Assistance for Cruelty/Neglect Investigations

Contractor shall provide professional evaluation and advice to Animal Services staff concerning the medical and health conditions of animals suspected to be the object of cruelty or neglect. If the City deems necessary, Contractor agrees to provide professional testimony in court for criminal or civil litigation cases.

5. Co-sign for the Shelter's Controlled Drugs

The contractor shall be licensed to act as co-signer for the purchase of controlled drugs at the City Animal Shelter as required by the Drug Enforcement Administration. Contractor shall maintain a current license on file with Animal Services.

6. Training Shelter Staff

Contractor agrees to provide training to the Animal Care Staff in the areas of animal first aid, neglect, infectious diseases, and euthanasia when necessary.

7. Veterinarian of Record for Supply Distributors

Contractor shall act as the Veterinarian of Record for the purpose of ordering medical supplies for the City Animal Shelter.

8. Veterinarian of Record for Veterinary Premise License

Contractor shall be the Veterinarian of Record for the purpose of maintaining a current Veterinary Premise license with the State of California. A copy of the veterinarian's current state license shall be posted at the Shelter.

9. Backup services

The contractor shall provide telephonic veterinary consulting for the managing Registered Veterinary Technician regarding the health of impounded animals in accordance with the California Veterinary Medical Practice Act.

10. Act as Professional Liaison with the City of Berkeley Veterinary Community

EXHIBIT B.2

PAYMENT

The Total Contract is not to exceed \$220,000

Veterinarian Hourly Fee: \$75

Site Specific Licenses:

DEA License: \$731 (Due Triennially)

CA Veterinary Medical Board Veterinary Premise License: \$200 (Due Annually)

Hourly rates are all inclusive.