

0150-10073-0000

TRANSMITTAL

TO The Council	DATE OCT 29 2013	COUNCIL FILE NO. 10-2451
FROM The Mayor	COUNCIL DISTRICT 6, 7	

Apollo Project Modification to Expand Mobile Spay and Neuter Services

Transmitted for your consideration. See the
City Administrative Officer report attached.

MAYOR



(Ana Guerrero)

MAS:JCY:04140045t

REPORT FROM

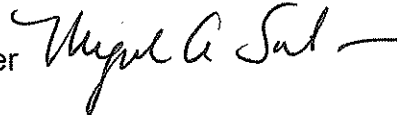
OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: October 21, 2013

CAO File No. 0150-10073-0000
Council File No. 10-2451
Council District: 6, 7

To: The Mayor

From: Miguel A. Santana, City Administrative Officer



Reference: Board of Animal Services Commissioners Transmittal dated June 3, 2013;
referenced for report August 15, 2013

Subject: **APOLLO PROJECT MODIFICATION TO EXPAND MOBILE SPAY AND NEUTER SERVICES**

SUMMARY

The Los Angeles Animal Services Department (LAAS) requests authority to negotiate and execute Letters of Agreement with various mobile spay and neuter operators to provide free sterilizations of pit bull and pit bull mixed breed dogs in Pacoima and Sylmar to meet the requirements of a \$50,000 Jason Debus Heigl Foundation grant project, also known as the Apollo Project. The proposed agreements would be for a period of one year, from November 1, 2013 through September 30, 2014, or until all project funds are expended.

BACKGROUND

The Council accepted a \$50,000 grant from the Jason Debus Heigl Foundation on October 26, 2010 (C.F. 10-2451) and approved the Apollo Project to provide free spaying and neutering of pit bull and pit bull mixes in the communities of Pacoima (ZIP Code 91331) and Sylmar (ZIP Code 91342), where impounds of these types of dogs is most prevalent, in order to reduce the number of these dogs being surrendered or abandoned with City animal care centers. LAAS also pledged \$30,000 from the Animal Sterilization Trust Fund (ASTF), under the General Manager's authority within the Fund, towards the Apollo Project, for a total amount of \$80,000. Subsequently, on January 4, 2011, the Council approved an \$80,000 increase and amendment to an existing LAAS contract with The Amanda Foundation (C-116573) to expand The Amanda Foundation's mobile spay and neuter services to include the Apollo Project (C.F. 09-1693).

The goal for the Apollo Project is to sterilize 940 pit bulls and pit bull mixes in Pacoima and Sylmar at an average cost of \$85. From February 2011 through April 15, 2013, LAAS reports that The Amanda Foundation performed 332 spay and neuter surgeries for the Apollo Project. In an effort to improve the rate of sterilization at the request of Council District 7, the Department proposes extending Apollo Project mobile spay and neuter service agreements to other mobile spay and neuter operators

through Letters of Agreement (LOA). A draft LOA is provided as an attachment.

The Heigl Foundation has agreed to the proposed changes, but also requests that operators submit an outreach plan to ensure that Pacoima and Sylmar residents are aware of the services and to increase the rate of sterilization. In addition to the outreach plan and providing free spay and neuter to pit bulls and pit bull mixes in ZIP Codes 91331 and 91342, operators must have the necessary licenses and permits to provide the services, must verify owners' residence in the targeted ZIP Codes, and will submit invoices for reimbursement at the rate of \$80 for neuter and \$90 for spay. In order to ensure that expenditures do not exceed the project limit of \$80,000, initial per-provider LOA limits will be set at \$25,000, subject to increase based on the progress of the other providers and available funds.

The proposal to contract with mobile spay and neuter operators to implement the Apollo Projects is in compliance with Charter Section 1022 requirements in that, while there are City employees that perform spay and neuter surgeries at City animal care centers, the City does not have mobile spay and neuter operations or vans to perform the work. Additionally, the work is of a temporary nature and for a limited duration.

The City Attorney has authorized the use of LOAs in lieu of formal contracts because the agreements will be non-exclusive and dependent on at-will participation, similar to the Department's agreements with private veterinarians for their participation in the Spay and Neuter Voucher Program. There is no minimum guarantee of funding.

Authority for the General Manager of the Department to negotiate and execute LOAs with mobile spay and neuter operators to accelerate the Apollo Project is recommended, subject to approval of the City Attorney as to form and legality.

RECOMMENDATIONS

That the Council, subject to approval of the Mayor, authorize the General Manager of the Los Angeles Animal Services Department, or designee, to:

1. Negotiate and execute Apollo Project Letters of Agreement with various mobile spay and neuter providers to provide free sterilizations of pit bull and pit bull mixed breed dogs in ZIP Codes 91331 and 91342 on a reimbursement basis with funds from a \$50,000 donation from the Jason Debus Heigl Foundation and from the Animal Sterilization Trust Fund in a total amount not to exceed \$80,000 for a period of one year beginning November 1, 2013, or until all funds are expended; and,
2. Amend the existing Contract No. C-116573 with The Amanda Foundation, as necessary, to allow other mobile spay and neuter service providers to use the Heigl Foundation grant and Apollo Project funds in accordance with the Letter of Agreement and subject to City Attorney approval as to form and legality.

FISCAL IMPACT STATEMENT

Approval of the recommendations will authorize the Los Angeles Animal Services Department to enter into Letters of Agreement with various mobile spay and neuter providers at a total cost not to exceed \$80,000. \$50,000 of this amount is from a Jason Debus Heigl Foundation grant and the remaining \$30,000 is from the Animal Sterilization Trust Fund. There is no impact to the General Fund. The recommendations in this report comply with the City's Financial Policies in that budgeted funds are used for budgeted purposes and that one-time revenue is used for one-time purposes.

MAS:JCY:04140045

Attachments

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ANIMAL SERVICES
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BRENDA BARNETTE
GENERAL MANAGER

JOHN D. CHAVEZ
ASSISTANT GENERAL MANAGER

2013 AUG 16 PM 3:42
CITY ADMINISTRATIVE OFFICER

June 3, 2013

Honorable Antonio R. Villaraigosa
Mayor, City of Los Angeles
Room 303, City Hall
200 North Spring Street
Los Angeles, California 90012

SUBJECT: CHANGES TO THE APOLLO PROJECT

At its meeting of May 28, 2013, the Board of Animal Services Commissioners (Board) approved changes to the Apollo Project. The Apollo Project is funded with a grant of \$50,000 from the Jason Debus Heigl Foundation and \$30,000 from the Spay and Neuter Trust Fund to provide free sterilizations to Pit Bull and Pit Bull mixes in Pacoima and Sylmar. By a vote of 4-0, the Board approved a motion to:

1. AUTHORIZE the General Manager of the Department of Animal Services to execute Letters of Agreement with various mobile spay/neuter vans to provide free sterilizations to Pit Bull and Pit Bull mixes in Zip Codes 91331 and 91342 on a reimbursement basis with funds from a \$50,000 donation from the Jason Debus Heigl Foundation and the Animal Sterilization Fund in a total amount not to exceed \$80,000; and,
2. FORWARD to the Mayor and City Council for review and approval.

On July 13, 2010, the Board of Animal Services Commissioners approved the acceptance of \$50,000 from the Jason Debus Heigl Foundation to help fund the Apollo Project.

The Board also agreed to allocate \$30,000 from the Animal Sterilization Trust Fund to augment the Heigl Foundation's \$50,000 donation, so that a total of \$80,000 is available to subsidize sterilizations of this breed. The Board also approved amending the Amanda Foundation's contract and increasing the Foundation's contractual authority by

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sterilizations of this breed. The Board also approved amending the Amanda Foundation's contract and increasing the Foundation's contractual authority by \$80,000. The City Council approved this targeted spay/neuter strategy on October 26, 2010 (C.F. 10-2451).

From February 2011 through April 15, 2013, the number of Apollo-related spay/neuter surgeries totaled 332 (out of an estimated 940 surgeries expected to be done with the \$80,000). Of the total \$80,000 dedicated to Apollo, \$33,855 has been spent.

However, since late January 2013, when key stakeholders met with Councilman Richard Alarcon, only 23 additional sterilizations have been performed. As there was no promotional plan or budget tied to the Heigl donation, public awareness of the program has been limited, resulting in a lower than expected demand for service.

This relative lack of progress prompted the Department to meet with the Amanda Foundation and the City Attorney and discuss other ways of increasing the sterilizations in Pacoima and Sylmar.

PROPOSED PROGRAM CHANGES

It was mutually agreed that the most viable option was to open up the Apollo Project funding to any mobile spay/neuter organization. These organizations would perform spay/neuter surgeries and bill the Department upon submission of the appropriate documentation.

In summation, the Department proposes to:

- Allow other mobile spay/neuter providers to provide free spay/neuter surgeries in Zip Codes 91331 and 91342.
- Execute a Letter of Agreement with interested mobile spay/neuter operators to ensure that they abide with the Project's requirements and procedures.
- Reimburse qualified mobile spay/neuter operators upon submission of necessary documentation.

The Heigl Foundation has agreed to these proposed changes. The Foundation also believes that enhanced community outreach is needed to reach dog owners. Therefore, mobile spay/neuter service providers, coordinating with the Department and Council District Seven, must submit an outreach plan to ensure that Sylmar/Pacoima residents are aware of the services offered and that the number of sterilizations that take place are at a significantly higher rate than has been accomplished to date.

The Department surveyed other mobile spay/neuter providers to determine whether there was interest in providing Apollo Project services in Pacoima and Sylmar, and

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for the average cost of \$85. Based on the results of this survey, the Department is confident that other mobile spay/neuter operators will participate in this revised Apollo Project. The Department will also impose the appropriate fiscal controls to ensure that the total cost of the Project (\$80,000) is not exceeded.

If you require additional information regarding this action of the Board, please have your staff contact me, at (213) 482-9558 or Ross Pool, Management Analyst II, at (213) 482-9578.

Sincerely,

Brenda F. Barnette

Brenda F. Barnette
General Manager

BFB:RP

Attachment

cc: Dov Lesel, Assistant City Attorney
Jim Bickhart, Office of The Mayor
Ross Pool
File 6/6/13



**CITY OF LOS ANGELES
DEPARTMENT OF ANIMAL SERVICES
GUIDE FOR APOLLO PROJECT MOBILE SPAY/NEUTER OPERATORS**

Attachment



This Letter of Agreement (Agreement) is for mobile spay/neuter operations who wish to participate in the Apollo Project, which provides spay/neuter services using mobile clinics for pit bulls and pit bull mixes for residents in Zip Codes 91331 (Pacoima) and 91342 (Sylmar).

1. Definitions

- "Neuter" shall mean "castration." "Spay" shall mean "ovariohysterectomy."
- "Sterilization" and "surgery" refer to the spaying or neutering of an animal. All sterilizations shall include: (a) a physical examination of the animal, (b) all vaccines and anesthesia that your hospital requires during hospitalization or before surgery, (c) all after-care including suture removal, licking problems, infections, and other normal procedures.
- "Provider" shall mean participating mobile spay/neuter providers.

2. Fees: Provider agrees to accept the following amounts for spay and neuter services:

	Males	Females
Apollo Project	\$80/90	

3. Spay/Neuter Services

- a. *THE ANIMAL TO BE STERILIZED MUST BE A PIT BULL OR PIT BULL MIX.* The owner must show proof that he/she lives in either Zip Codes 91331 or 91342. The owner will be required to sign the invoice declaring that the personal information on the invoice is true under penalty of perjury. A sample invoice is attached.
- b. Animal owners will transport their pit bulls or pit bull mixes to the Provider and pick up the animal from Provider after sterilization services are completed.

4. Provider Responsibilities

- a. Provider shall follow the mandates of the California Veterinary Medicine Practice Act.
- b. Provider shall report to the Department within five business days of all unexpected animal deaths that occur under the care and control of the Provider.
- c. Provider shall ensure that the person named on original invoice is the same person requesting the services.
- d. Provider has a duty to check, within reason, that no more than three original invoice forms have been issued for more than three cats or three dogs to any one person, and notify the Department of any irregularities.
- e. Provider shall report any abuse, fraud or suspected abuse or fraud by pet owners.
- f. Provider must develop an outreach plan to ensure that it has an effective strategy to sterilize pit bull and pit bull mixes in Zip Codes in 91331 and 91342. This plan must be reviewed and approved by the Department and the Jason Debus Heigl Foundation, and must be implemented with the cooperation of Council District Seven.

5. Billing and Record Keeping

a. To ensure that total Department and Heigl Foundation funds are not exceeded, Providers will be given numbered invoices totaling less but not to exceed the amount referenced in this Letter of Agreement. If additional invoices are needed, due to voids or success in sterilizing pit bulls and pit bull mixes, the Department will issue additional invoices based on the availability of funds.

b. The original invoices shall be completed by the Provider and mailed to: **Attn: Accounting, Department of Animal Services, 221 North Figueroa Street, Room 500, Los Angeles CA 90012**. Original invoices submitted without surgery date, veterinarian's name and address and signature will be returned for completion.

c. Billing must be submitted within 60 days of sterilization or they will not be honored by the Department. Billings received after the 10th of each month will be processed the following month.

d. Original invoices for surgeries performed by Provider shall be mailed to the Department of Animal Services. A photocopy of the invoices shall be retained on file at the Provider's facility for a minimum of three (3) years. Signed, completed invoices shall serve as proof of each service performed and billed to Department.

e. All payments are subject review and approval of Provider's full documentation and work performance by the Department.

f. Department will make all reasonable efforts to pay Provider each month for services rendered in the previous month as long as original invoices and supporting documentation are received on time as indicated therein.

6. Program Term

Unless terminated sooner, this Agreement shall commence upon signing by Provider, and shall terminate **one (1) year** thereafter, and may be renewed for up to two (2) additional one-year terms by City. If the terms herein are updated, a new Agreement will be sent to the Provider for execution at the time of renewal, and must be executed by the Provider if the Provider wishes to remain in the Program.

7. Miscellaneous Provisions

a. Provider shall provide all materials, equipment, and personnel and shall bear all costs for any necessary permits, insurance and taxes required to perform these services.

b. Licenses and Permits: Provider shall maintain all licenses and permits, required to provide the services herein, including the following:

- Veterinary Premise Permit, as required by the California Veterinary Medical Board
- Veterinarian License
- Controlled Substance Registration Certificate, as required by the U.S. Drug Enforcement Administration (DEA)
- City of Los Angeles Business Tax Registration Certificate.
- The appropriate DMV license(s) necessary to operate a mobile spay/neuter vehicle.

c. Termination: Either party may terminate this Agreement at any time by giving the other party fifteen (15) days prior written notice. If Provider fails to abide by any of the terms or conditions of

the Agreement, the Department may give Provider a written notice to cure. If not cured within 30 days after notice (forthwith for a default involving sanitary or safety conditions) or reasonable progress to cure is not made, the Department may terminate the Agreement and suspend sending animals to Provider.

d. Insurance: Provider shall acquire and maintain insurance coverage and liability limits of a type and in an amount for premises liability, malpractice and such other insurance as is customary for licensed California veterinarians in the Los Angeles area, with one or more financially sound and reputable insurance companies and provide proof of such insurance to the Department upon request.

8. Maximum Annual Amount to be Paid to Provider

The amount to be paid to the Provider by the Department under this Agreement **shall not exceed \$25,000**. Payment in excess of this annual amount must be done pursuant to a City contract subject to prior approval of the Board of Animal Services Commissioners.

I HAVE READ THE OPERATION GUIDE AND I AGREE TO ABIDE BY ITS TERMS.

Name of Executive Director (Print)

Veterinarian/Owner or Authorized Representative (Print)

Veterinarian/Owner or Authorized Representative (Signature)

Date

Los Angeles City Business Tax License Number _____

IRS Taxpayer Identification Number _____

Location (Address) _____

