

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20031179

1. REQUESTED MOTION:

ACTION REQUESTED: Approve a Memorandum of Understanding with the Humane Society of Lee County for the sale of County pet license tags.

WHY ACTION IS NECESSARY: Board has the authority to enter into the agreement.

WHAT THE ACTION ACCOMPLISHES: Allows another outlet for the purchase of licenses, and assures all animals adopted from the Humane Society are licensed.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #:**

CLC

3. MEETING DATE:

10-21-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER _____
- B. DEPARTMENT _____
- C. DIVISION Animal Services
- BY: Scott Trebatoski, Director

7. BACKGROUND:

Currently licenses for pets are exclusively available from veterinarians and Lee County Animal Services (LCAS). This agreement would allow for another outlet for the public to purchase pet licenses. A ten percent (10%) administrative fee will be returned to them for processing the licenses.

Animals adopted by the Humane Society of Lee County currently are not licensed before they leave the shelter and it requires Animal Services to track the adopters down to ask them to license their pets in most cases. By being proactive and having the license sold with the adoption it will save work for the County. Offering the reduction in license fees for adopted animals was negotiated due to the fact they are a not-for-profit shelter and that they would waive all rights to participate in any programs funded by license sales (such as the current voucher program).

The immediate result will be approximately 3000 new pets annually fully licensed when adopted.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Operations				G County Manager
					OA	OM	Risk	GC	
<i>[Signature]</i> 10/2/03	N/A	N/A	N/A	<i>[Signature]</i> 10/2/03	CA 10/3/03	10/2/03	10/2/03	10/3/03	HS 10/8/03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by Colty
 Date: 10/2/03
 Time: 3:20
 Forwarded To:
 Co. Admin
 10/3/03

**RECEIVED BY
COUNTY ADMIN:**
 10/10/03
 10/10/03
**COUNTY ADMIN
FORWARDED TO:**
 10/15/03
 3pm

**MEMORANDUM OF UNDERSTANDING BETWEEN
LEE COUNTY ANIMAL SERVICES AND HUMANE SOCIETY
OF LEE COUNTY FOR THE SALE OF COUNTY LICENSE TAGS**

THIS AGREEMENT, made and entered into the _____
day of _____, 2003, by and between LEE COUNTY,
a political subdivision of the State of Florida, hereinafter referred to
as the "COUNTY", and the Humane Society of Lee County, a not-
for-profit corporation, hereinafter referred to as "HUMANE
SOCIETY" collectively, "The Parties" hereto.

WHEREAS, all dogs, cats, and ferrets four months of age or older must be vaccinated against rabies each year; and

WHEREAS, pursuant to Lee County Ordinance 98-10, all dogs, cats and ferrets four months of age or older must be licensed in Lee county; a rabies certificate showing that the animal has been vaccinated against rabies is required to purchase a license; and

WHEREAS, both the COUNTY and the HUMANE SOCIETY share the same goal of ensuring that all pet owners license their pets and provide proper identification so that the pets, when lost, can be returned home;

NOW THEREFORE, in consideration of the foregoing, and the terms and provisions as contained herein, the COUNTY and HUMANE SOCIETY, agree to the following:

1. The COUNTY requires that owners of dogs, cats and ferrets vaccinate their pets against rabies and purchase an annual county license tag. The license tag must be attached to the animal's collar and worn at all times. The fee schedule for county license tags is attached as Exhibit "A".
2. The HUMANE SOCIETY desires to sell COUNTY'S pet license tags to the public in exchange for a 10% administrative fee, in lieu of any further participation in any sterilization program or other program(s) funded through license sales.
3. The COUNTY shall offer to the HUMANE SOCIETY, as a not-for-profit shelter selling County pet licenses, a reduction of fifty-percent (50%) in license fees charged for licenses issued with adopted animals. In exchange for that reduction in the cost of license fees the HUMANE SOCIETY agrees to license all adoption animals over the age of four (4) months as part of the adoption process.
 - (A) The HUMANE SOCIETY shall provide a copy of a valid rabies certificate which shall include the Name, Address, & Telephone Number of the adopter; the Description (including color), Breed, Age, Sex (including sterilization status at the time of adoption), and Name of the adopted animal; and a copy of the adoption contract to qualify for the reduced license fees for adopted animals.

4. The COUNTY hereby agrees to allow the HUMANE SOCIETY to sell COUNTY'S pet license tags subject to the following conditions:
 - (A) The HUMANE SOCIETY will diligently issue and process applications for dog, cat and ferret licenses for all such licenses sold. The HUMANE SOCIETY shall keep full and accurate records of all persons to whom licenses have been issued and sold and shall tender such records and payment to the COUNTY at the end of each month.
 - (B) All revenues received from the license fees will be deposited in a special account approved by the County. All revenues received will be tendered to the COUNTY on a monthly basis. The HUMANE SOCIETY shall receive 10% of all funds tendered to COUNTY for its administration and expenses. The COUNTY shall process payment of the administrative fee one time per month.
 - (C) The HUMANE SOCIETY will sell the license tags in accordance with the Lee County Animal Control Ordinance and with State law.
5. The HUMANE SOCIETY may sell the county pet license tags for a one (1) year period, beginning on the date this license is executed by the Board of County Commissioners and ending one year (1) from that date.
6. This Agreement does not permit the HUMANE SOCIETY to assume usage of the license fees and/or management of the license program.

OPTION TO RENEW/TERMINATION

7. This Agreement may be renewed for a series of three (3) additional one (1) year periods upon annual written agreement of the parties sixty (60) days prior to expiration of the current term; unless the Agreement is renewed, in writing, by the County, it will be deemed expired.
8. The County may terminate this Agreement, for any purpose, by giving the HUMANE SOCIETY fifteen (15) days written notice of its intent to do so. Upon termination, the HUMANE SOCIETY will immediately tender to the COUNTY any unsold license tags and revenue.
9. Amendments or changes to this Agreement must be made upon written agreement of the Parties adopted in a manner similar to this Agreement.
10. This Agreement may be terminated by the HUMANE SOCIETY upon ninety (90) days written notice to the COUNTY.

ASSIGNMENT

- 11. The HUMANE SOCIETY may not loan or give county licenses to any other party for resale. This Agreement is not assignable.

INSPECTION

- 12. The COUNTY, or its authorized designee, shall have the right to inspect the books and records of the HUMANE SOCIETY that relate to the sale of county license tags within seven (7) days of requesting such inspection.

INDEMNIFICATION

- 13. The Parties will be liable for money damages in tort for any injuries to or losses of property, personal injury, or death caused by the negligent or wrongful act(s) or omissions(s) of any official or employee of the parties while acting within the scope of the official's or employee's office or employment under circumstances in which a private person would be held to be liable in accordance with the general laws of the State of Florida, subject to the limitations as set out in §768.28, Florida Statutes.

IN WITNESS WHEREOF the COUNTY and HUMANE SOCIETY have caused this Agreement to be executed on the day and year first above written.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Deputy Clerk

BY: _____
Chairman

WITNESSES:

HUMANE SOCIETY OF LEE COUNTY

Yam Lane
Witness

BY: Phillip J. Perry
President & Chief Executive Officer

Jim Brown
Witness

APPROVED AS TO FORM:

BY: _____

Office of the County Attorney

EXHIBIT "A"

Annual Pet/Rabies Registration License Fees:

Fees apply to all animal required to be vaccinated against rabies by state law (Dogs, Cats, Ferrets over 4 months of age)

UNSTERILIZED ANIMAL	\$25.00
STERILIZED ANIMAL	\$10.00
STERILIZED & MICROCHIPPED ANIMAL	\$ 8.00