



VILLAGE OF CORRALES  
RESOLUTION NO. 2011-054

A RESOLUTION TO PROVIDE FOR THE APPROPRIATE CARE AND PLACEMENT FOR ADOPTION OF UNCLAIMED DOMESTIC DOGS AND CATS; AUTHORIZING THE MAYOR TO ENTER INTO ONE OR MORE AGREEMENTS WITH ANIMAL RESCUE ORGANIZATIONS TO PROVIDE SUCH CARE AND PLACEMENT AS CONTRACTORS TO THE VILLAGE; ESTABLISHING MINIMUM STANDARDS FOR ANIMAL RESCUE ORGANIZATIONS CONTRACTING WITH THE VILLAGE; AUTHORIZING PAYMENT OF A RESCUE FEE FOR EACH DOMESTIC DOG OR CAT FOR WHICH RESCUE SERVICES ARE PROVIDED.

**WHEREAS**, on May 24, 2011, the Village Council, the governing body (“Governing Body”) of the Village of Corrales (the “Village”) adopted Ordinance No. 11-011, establishing that it is the policy of the Village to avoid the killing of animals recovered, impounded or confined by the Village; and

**WHEREAS**, Ordinance No. 11-011 further provided that impounded animals should be made available for adoption or fostering through reasonably available means, including adoption through public or private animal shelters or humane organizations; and

**WHEREAS**, the Governing Body finds that there is a need to formalize such adoption and fostering of animals by entering into an agreement or agreements with one or more appropriate animal rescue organizations to provide for the care, fostering and adoption of animals recovered, impounded or confined by the Village, particularly domestic dogs and cats; and

**WHEREAS**, the Village may pay to such providers a reasonable rescue fee to provide such animal rescue services for domestic dogs and cats on behalf of the Village; and

**WHEREAS**, to ensure compliance with all applicable Village ordinances, regulations and policies, including but not limited to Ordinance No. 11-011, and to ensure the appropriate and legal use of public funds, the contracted rescue organizations should be required to meet appropriate standards and make relevant records available for inspection by the Village; and

**WHEREAS**, it is reasonably anticipated that the total cost of animal rescue services needed by the Village for domestic dogs and cats will not exceed twenty thousand dollars (\$20,000) annually, thus meeting the standard for a small purchase of goods or services pursuant to Section 13-1-125(A), NMSA 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL, THE GOVERNING BODY OF THE VILLAGE OF CORRALES, THAT:

1. **Authorization to Contract:** The Mayor is authorized and directed to seek out one or more qualified, reliable and responsible animal rescue organizations (hereinafter, "Contractors") with facilities located in or reasonably near to the Village of Corrales (the "Village") and which are willing to provide animal rescue services in accordance with the Village's required standards for domestic dogs and cats in the custody of the Village.

2. **Organizational Standards:** To qualify as a Contractor for Village animal rescue services, each animal rescue organization must meet, as a minimum, the following standards:

- a. The Contractor must be organized as a nonprofit corporation pursuant to the New Mexico Nonprofit Corporation Act, Section 53-8-1 *et seq.*, NMSA 1978, or under other applicable New Mexico law. If organized under any provision of law other than the New Mexico Nonprofit Corporation Act, the Contractor must demonstrate to the satisfaction of the Village that the Contractor meets all requirements to qualify as an organization exempt from federal income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3)).
- b. The Contractor must have a facility, or facilities, for the reception of domestic dogs and cats located within or reasonably near the Village. Any facility located within the Village shall be fully compliant with all applicable Village ordinances and regulations, including but not limited to licensure as a business, if required, and compliance with all applicable provisions of the Village's planning and zoning regulations. The Village may require evidence that a facility not located within the Village is fully compliant with applicable regulations of the jurisdiction within which such facility is located.
- c. The Contractor must have a written and binding policy generally prohibiting the euthanasia or other killing of domestic dogs and cats transferred to the Contractor for care, fostering and adoption.
- d. The Contractor must have written and binding policies providing that all domestic dogs and cats made available for adoption shall be spayed or neutered and have an ID chip inserted before adoption, as required by Subsection (d) of Section 6-6 of the Village's Code of Ordinances.

3. **Contractual Requirements:** Each Contractor shall enter into an agreement with the Village substantially in the form of the Animal Rescue Services Agreement attached hereto as Exhibit "A". The Mayor shall have the authority to modify the specific requirements contained in Exhibit "A", so long as such modification is not contrary to any ordinance or regulation of the Village and the final agreement with the Contractor is substantially in compliance with the requirements of this Resolution. In particular, Contractor shall comply with each of the following:

- a. Contractor's facility must be open to receive unclaimed domestic dogs and cats, or Contractor shall be available to pick up domestic dogs and cats from the Village, no less than three (3) days per week.
- b. Contractor upon request shall promptly receive or pick up unclaimed domestic dogs and cats when requested by the Village upon completion of any required impoundment period, or if unable to accept any particular dog or cat due to overcrowding of the facility or for any other reason, shall promptly inform the Village of Contractor's inability to accept the animal in question.

c. To ensure compliance with Village ordinances, regulations and policies, Contractor shall agree to maintain accurate records regarding the care, treatment and disposition of each rescue animal placed with the Contractor, including but not limited to records of vaccinations, spaying or neutering, ID chip implantation, medical treatment if needed, and ultimate placement of the rescued animal for adoption. All such records shall be maintained for a period of no less than two (2) years after the animal is placed for adoption and shall be available for inspection by the Village Animal Control Officers. If the animal is placed for adoption by the Contractor, Contractor shall record the date of adoption and the name, physical address, and mailing address of the adopting party. If the animal is placed with another organization or entity for care or adoption, Contractor shall record the date of placement with such organization or entity and the name, address and telephone number of the organization or entity, and shall further obtain and retain in Contractor's records a copy of the written policies and procedures of such organization or entity establishing compliance with the Village's ordinances, regulations and policies relating to rescued animals.

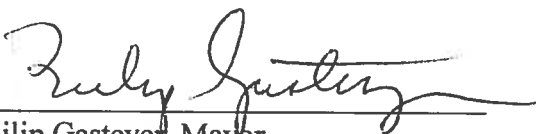
4. **Compensation:** For each rescued animal accepted, cared for and placed for adoption by a Contractor pursuant to this Resolution, the Contractor shall be entitled to receive from the Village a one-time rescue fee not to exceed seventy-five dollars (\$75.00) plus applicable gross receipts tax, if any.

5. **Existing Agreements:** Nothing contained in this Resolution shall be deemed to impair or require any modification of any Village contracts or agreements for the care of impounded, unclaimed or abandoned animals that are in effect on the date of adoption of this Resolution, and all such contracts or agreements shall remain in full force and effect. This Resolution is intended to authorize and provide authority for additional or alternative options, not inconsistent with existing contracts or agreements, for the care of unclaimed domestic dogs and cats in the possession of the Village.

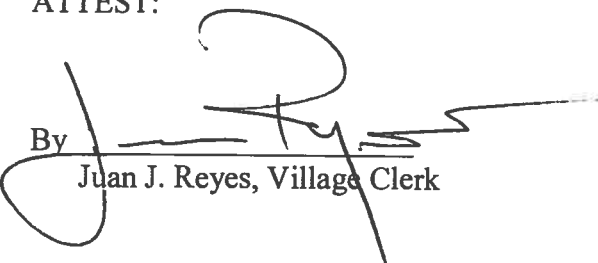
PASSED, APPROVED AND ADOPTED this 13<sup>th</sup> day of December, 2011.

VILLAGE OF CORRALES, NEW MEXICO

[SEAL]

By   
Philip Gasteyer, Mayor

ATTEST:

By   
Juan J. Reyes, Village Clerk