

CITY OF EL PASO, TEXAS  
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

CITY CLERK DEPT.  
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DEPARTMENT: Public Health

AGENDA DATE: December 2, 2008

CONTACT PERSON/PHONE: Michael Hill, Department of Public Health Director  
771-5702.

DISTRICT(S) AFFECTED: All

**SUBJECT:** Ordinance amending Title 7 (Animals), by adding Chapter 7.30 Animal Welfare Advisory Committee); and sections thereunder to establish the Animal Welfare Advisory Committee

**BACKGROUND / DISCUSSION:** Propose that the city amend title 7 to add chapter 7.30 and establish a 9 member Animal Welfare Advisory Committee to meet monthly and to advise the city concerning issues affecting the welfare of animals in the community. One member to be appointed by each member of the council and the mayor. Terms for appointees to be two years with no limit to the number of consecutive terms a member can serve.

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one?  
No

**AMOUNT AND SOURCE OF FUNDING:** No fiscal impact.

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** Michael Hill

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

**APPROVED FOR AGENDA:**

**CITY MANAGER:** Stanley **DATE:** 11/24/08

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 7 (ANIMALS), BY ADDING  
CHAPTER 7.30 ANIMAL WELFARE ADVISORY COMMITTEE);  
AND SECTIONS THEREUNDER TO ESTABLISH THE ANIMAL  
WELFARE ADVISORY COMMITTEE**

WHEREAS, the City has previously consulted with the animal shelter advisory committee of the City and County to seek advice and recommendations relating to all issues concerning companion animal ownership and responsibility, and companion animal care and welfare; and

WHEREAS, the City desires to separate these functions from the animal shelter oversight related duties and create this separate advisory committee, to enable the citizen volunteers who serve on these two committees to better focus their time and efforts on the separate, but equally important work that these committees are responsible to provide to the City and the community.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF EL PASO:**

Section 1. That Chapter 7.30 (Animal Welfare Advisory Committee) be added to the El Paso City Code, along with the following sections.

Section 2. That Section 7.30.010 (Animal Welfare Advisory Committee - established), be added to the El Paso City Code to read as follows:

**Section 7.30.010 Animal Welfare Advisory Committee – established.**

There is hereby established the Animal Welfare Advisory Committee to provide for citizen input and recommendations relating to all issues concerning companion animal ownership and responsibility, and companion animal care and welfare.

Section 3. That Section 7.30.020 (Membership), be added to the El Paso City Code to read as follows:

**Section 7.30.020 Membership**

A. The Animal Welfare Advisory Committee shall consist of nine regular members. Each city council member shall each nominate the appointment of one member, with the appointments approved by the Council in accordance with the requirements of the City Charter.

Section 4. That Section 7.30.030 (Terms of office), be added to the El Paso City Code to read as follows:

**Section 7.30.030 Terms of office**

A. The terms of office for the members shall be staggered and the terms of all members shall begin on the first day of February 2009. The initial terms shall be determined by a drawing of lots at the first meeting, with 5 of the members serving a two year initial term and 4 of the members serving a one year initial term. Thereafter, all members shall serve two year terms.

B. Each term shall commence on the expiration date of the term of the immediate predecessor; provided, however, that appointments to vacancies occurring other than by expiration of a member's term of office (such as upon a member's death, resignation, or removal) shall be filled by nomination and appointment by City Council for the remainder of the unexpired term. Each term shall commence on the expiration date of the term of the immediate predecessor; provided, however, that appointments to vacancies occurring other than by expiration of a member's term of office (such as upon a member's death, resignation, or removal from the Animal Welfare Advisory Committee) shall be filled by appointment for the remainder of the unexpired term. The members of the Animal Welfare Advisory Committee shall not be subject to the term limitation provisions contained in Section 2.04.050 of the El Paso City Code.

C. A member may be removed with or without cause, or a member may automatically be removed and replaced upon the appointment of a new member to fill the remainder of the member's term.

Section 5. That Section 7.30.040 (Meetings), be added to the El Paso City Code to read as follows:

**Section 7.30.040 Meetings**

A. The Committee shall hold such meetings as are necessary for the conduct of business before the Committee.

B. All meetings of the Committee shall be open to the public. Notice of all meetings shall be made in conformity with the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as from time to time it may be amended. The minutes of each meeting shall be kept and filed with the City Clerk, to include recording the attendance by the members and their votes upon each question, and shall be filed within a reasonable time after the minutes have been approved by the Committee.

Section 6. That Section 7.30.050 (Quorum and procedures), be added to the El Paso City Code to read as follows:

**Section 7.30.050 Quorum and procedures.**

A. The Committee shall select from among its members a Chair and a Vice-Chair, and may adopt rules and regulations for the governing of its own proceedings to carry out the purposes for which the Committee was created, consistent with the State law and the Charter and Ordinances of the City. A quorum shall consist of a majority of the members.

B. The City shall provide staff support to the Committee for the purpose of arranging and giving notice of the meetings, the preparation of minutes of each meeting, and the provision of other necessary support services. The City's Director of the Department of Public Health shall designate a City employee to serve as the Secretary. The Secretary shall have the right to attend meetings and speak on questions before the Committee, but shall have no vote and shall not be counted for the purpose of making a quorum or determining the number of votes necessary to reach a decision on any question.

Section 7. That Section 7.30.060 (Duties), be added to the El Paso City Code to read as follows:

**Section 7.30.060 Duties.**

The Animal Welfare Advisory Committee shall act as an advisory committee to the mayor and city council in efforts to promote close cooperation between the city and all private

citizens, organizations, institutions and agencies interested in the rights and responsibilities of companion animal ownership, companion animal care and public health, and oversight of companion animal issues and protection. The Animal Welfare Advisory Committee may advise the City Council on proposed changes to the city's ordinances. The Animal Welfare Advisory Committee shall perform such other duties as may be requested from time to time by the City Council, with the goal of increasing public awareness and addressing the needs and welfare of animals.

C. The Committee may annually prepare and provide a written report to the City Council that provides information regarding the activities and recommendations of the Committee.

Section 8. This ordinance shall become effective on February 1, 2009, provided however, the City Council may, in advance of the effective date, make appointments to the Animal Welfare Advisory Committee to be effective on February 1, 2009.

**ADOPTED** this 9<sup>th</sup> day of December 2008.

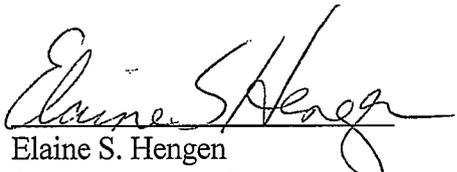
THE CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
John F. Cook, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
Elaine S. Hengen  
Senior Assistant City Attorney