

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING CHAPTER 6 "ANIMALS," ARTICLE II "ANIMAL SERVICES," SECTION 6-34 "ANIMAL ADVISORY COMMITTEE"; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the City Council's recently adopted Governing Standards and Expectations establishes that councilmembers will no longer serve on citizen committees; and

WHEREAS, section 823.005 of the Texas Health and Safety Code provides that the City Council, rather than the City Manager, is the appointing authority for an Animal Advisory Committee established under that section; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. That Chapter 6, Article II, Division 1, be amended as follows:

CHAPTER 6. ANIMALS

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ARTICLE II. ANIMAL SERVICES

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DIVISION 1. GENERALLY

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Sec. 6-34. - Animal advisory committee.

An animal advisory committee shall be appointed by the city ~~council~~manager and shall be composed of at least one (1) licensed veterinarian, one (1) city official, one (1) person whose duties include the daily operation of an animal shelter, one (1) representative from an animal welfare organization or humane society, ~~two (2) city councilmembers~~, seven (7) citizens, and two (2) ex-officio voting members. The animal advisory committee shall advise and make recommendations to the city council pertaining to animals and this chapter.

SECTION II. That all ordinances or resolution or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

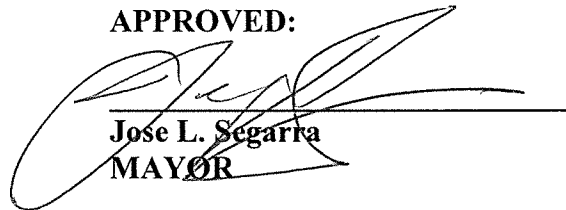
SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV: That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V: That this ordinance shall be effective after its passage and publication according to law.

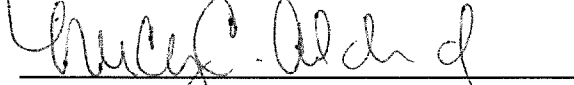
PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 28th day of August 2018, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:



Jose L. Segarra
MAYOR

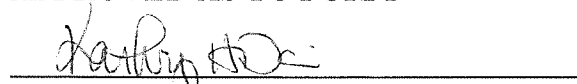
ATTEST:



Lucy C. Aldrich
CITY SECRETARY



APPROVED AS TO FORM



Kathryn H. Davis
CITY ATTORNEY

CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: August 21, 2018
TO: Ronald L. Olson, City Manager
FROM: Kathy Davis, City Attorney
SUBJECT: Amend Animal Advisory Committee Membership and Appointment Authority

BACKGROUND AND FINDINGS:

Section 6.34 "Animal Advisory Committee" is found in Chapter 6 "Animals" of the City of Killeen's Code of Ordinances and provides for the following membership: at least one (1) licensed veterinarian, one (1) city official, one (1) person whose duties include the daily operation of an animal shelter, one (1) representative from an animal welfare organization or humane society, two (2) city councilmembers, seven (7) citizens, and two (2) ex-officio voting members.

The Council's Governing Standards and Expectations establishes that city councilmembers will no longer serve on citizen committees, therefore the ordinance should be amended to reflect this change. Additionally, the appointment authority should be the City Council rather than the City Manager, as required by sec. 823.005 of the Texas Health and Safety Code.

THE ALTERNATIVES CONSIDERED:

The Council's alternatives are to adopt either, both or none of these suggested amendments.

Which alternative is recommended? Why?

It is recommended that the City Council adopt the two proposed amendments to sec. 6.34 of the Code of Ordinances.

CONFORMITY TO CITY POLICY:

Adopting these proposed amendments will bring the committee into conformance with state law and the Council's Governing Standards and Expectations.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

There is no expenditure required by the adoption of these proposed amendments.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Staff recommends that the City Council adopt the proposed amendments to sec. 6.34 of the City of Killeen Code of Ordinances.

DEPARTMENTAL CLEARANCES:

City Manager

ATTACHED SUPPORTING DOCUMENTS:

Ordinance