

Health, Environment and Human Services Committee Meeting Record

The Health, Environment and Human Services (HEHS) Committee meetings are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Environmental and Health Services HEHS Staff Coordinator at 214.670.5711.

Meeting Date: March 7, 2005

Start Time: 10:38 a.m.

Adjournment: 12:00 p.m.

Committee Members Present:

Lois G. Finkelman, Chair

James L. Fantroy

Veletta Forsythe-Lill

Dr. Elba Garcia

Absent: Leo V. Chaney, Jr.

City Staff Present:

Jill Jordan, Assistant City Manager

Kathleen Davis, Code Compliance

Ade Williams, Code Compliance

Kent Robertson, Code Compliance

AGENDA:

1. **Approval of Minutes for February 28, 2005 Meeting**

Presenter: Lois G. Finkelman, Chair

Action Taken/Committee Recommendation(s):

A motion was made to approve the minutes from the February 28, 2005 meeting as submitted.

Motion made by: Dr. Garcia

Motion seconded by: Ms. Lill

Passed Unanimously

2. **Chapter 7 Animal Ordinance Amendments**

Presenters: Kathleen Davis, Director for Code Compliance

Ade Williams, Assistant Director for Code Compliance

Kent Robertson, Animal Control Division Manager, Code Compliance

Action Taken/Committee Recommendation(s):

As part of the incorporated changes, a motion was made to increase the penalty fines for the "pooper scooper" section of Article IV (Section 7-4.8) to be consistent with other types of fines with the first conviction base of \$50.

Motion made by: Ms. Lill

Motion seconded by: Dr. Garcia

Passed Unanimously

A motion was made to approve the Chapter 7 Amendments as recommended by the Animal Shelter Commission.

Motion made by: Dr. Garcia

Motion seconded by: Mr. Fantroy

Passed Unanimously

Follow-Up:

Dangerous Dog Attack - Code Compliance staff and City Attorney to research whether adding wordage of "dangerous dog attack on a domestic animal would be a violation" could be included under Section 7-5.1

Domestic Animal - Code Compliance staff and City Attorney to review the definition of "domestic animal" so as to address the concern of pet birds being included under the new definition.

Invisible Fences - Code Compliance staff to check as to whether an "invisible fence" would qualify as an acceptable control method for controlling one's pets.

Extend Protection Against Shooting and Poisoning - Modifications to former Section 7-3.6 and Section 7-3.7, the recommendation of including additional language would "extend protection against shooting and poisoning" to feral cats and wildlife, with certain exceptions such as rodent-control program, Code Compliance staff is in agreement with the Animal Shelter Commission's recommendations. However, staff and the City Attorney agree there would be enforceability

challenges. At this point the compromise is to not to deal with the act or the intent but to deal with an actual event and to make sure that there is language that would cover those animals that are not currently covered. Code Compliance staff and the City Attorney were asked to work on this.

Commercial Breeding – The current language pertaining to commercial breeding permits is unenforceable. Currently the volunteer community is trying and has been for the past five years to help Code Compliance enforce the sale of animals from residential homes, which is in violation of the Zoning Ordinance. The dilemma is not whether or not the approach is a good approach but whether it's an approach that ought to be approved now as part of the current City Code revisions with the staffing concerns voiced by Kathleen Davis, Director for Code Compliance. Also, whether or not it ought to be part of a budget discussion and then passed at that point in time or whether or not the desire is to put it in the ordinance now knowing that it's not currently enforceable.

Commercial Breeding – Home Business - Staff to provide information on the fiscal impact and what the cost implications really are, what they would like to have, minimally what is needed to begin to move forward if Council includes this as part of the Chapter 7 revisions, and what the volunteer component might be that might absorb some of the costs that would otherwise be the City's.

- * Dr. Garcia understands Ms. Davis' concerns about enforceability and the need for staff, but she thinks this should be included at this point and added as a necessity in next year's budget. Having something in the ordinance that refers to these problems would at least give some of the volunteer community the opportunity to be part of the process and enforcement.
- * Ms. Lill asked staff to possibly make a determination on whether it needs to be excluded from the home business definition or whether there needs to be a cross-reference in 51A.

Prohibited Animal Issues – Staff to provide side-by-side chart outlining the recommendations made by the Animal Shelter Commission and staff for comparison of differences with respect to these issues.

Code Compliance staff and City Attorney to return in April for further discussion of Chapter 7 Amendments and with requested chart.

3. **North Star Discussion**

Presenter: David Kellogg, Public Policy Director for the Mental Health Association

Information Only: X

Follow-Up:

Public Behavioral Health Care - It was requested that staff make a numerical determination of those who have attempted to access the system, those who have accessed the system, and those who have been turned away.

Committee would like future discussion on ValuOptions and also on the divert court (an attempt to move individuals out of the court system and into assistance) and the bottlenecks in the court system.

4. **Child Care Program**

Information Only: X