

* denotes amendment which updates the figures shown on page 3 under "Fiscal Note" for Initiative Question No. 1.

***AMENDED RESOLUTION**

**A RESOLUTION OF THE CITY OF LAS VEGAS
AS A RESULT OF AN INITIATIVE PETITION
TO ESTABLISH BALLOT QUESTIONS TO BE INCLUDED
ON THE NOVEMBER 6, 1990 GENERAL ELECTION BALLOT.**

WHEREAS, an Initiative Petition was submitted, declared sufficient, and accepted by the City Council on December 6, 1989; and

WHEREAS, said Initiative Petition requested by vote of the people Charter amendments to mandate the City of Las Vegas to own, operate and maintain a municipal animal care and control facility within the City limits and to add one (1) additional elected official to be said facility's administrator; and;

WHEREAS, said ballot questions if passed by the voters would result in the Charter amendments set forth as follows:

Amendment to the City Charter (Matter underlined is new; matter in brackets [] is material to be omitted.

(Creation of a new section as set forth below)

Sec. _____ Municipal Animal Care and Control Administrator

1. The registered voters of the city shall elect a Municipal Animal Care and Control Administrator every four years who shall be responsible for the exercising of careful supervision of the Municipal Animal care and control facility.

2. The Municipal Animal Care and Control Administrator must be a qualified elector who has resided within the territory which is established by the boundaries of the city for a period of not less than 30 days immediately before the last day for filing a declaration of candidacy for that office and be elected by the registered voters of the city at large. Said office holder shall automatically forfeit the remainder of his term of office and that office shall become vacant if he ceases to be a resident of the city. The salary of said office holder must be fixed by ordinance. Said office holder may not hold any other elective office of the State or any political subdivision of the State or any other employment with the County or the City except as is provided by law or as a member of a board or a commission for which no compensation is received.

Sec. 1.140 Elective offices.

1. The elective officers of the city consist of:
 (a) A mayor.
 (b) Four councilmen.
 (c) Municipal judges.
 (d) A municipal animal care and control administrator.

2. The terms of office of the mayor, councilmen, municipal animal care and control administrator and, except as is otherwise provided in subsection 3 of section 4.010 of this charter, municipal judges are 4 years.

1 **Sec. 1.160 Elective offices: Vacancies.**

2 1. A vacancy in the office of mayor, councilman, municipal
3 animal care and control administrator, or municipal judge
4 must be filled by the majority vote of the entire city council
5 within 30 days after the occurrence of that vacancy. A person
6 may be selected to fill a prospective vacancy in the city
7 council before the vacancy occurs. In such a case, each member
8 of the council, except any member whose term of office expires
9 before the occurrence of the vacancy, may participate in any
10 action taken by the council pursuant to this section. The
11 appointee must have the same qualifications as are required
12 of the elective official.

13 **Sec. 2.270 Powers of city council: Animals and poultry. The city**
14 **council [may]:**

15 1. May [F]fix, impose and collect an annual [license tax]
16 fee on all animals and provide for the capture and disposal
17 of all of the animals with respect to which that tax is not
18 paid.

19 2. May [R]regulate or prohibit the running at large and
20 disposal of all kinds of animals and fowl.

21 3. Must [Establish] own, operate and maintain [an] a municipal
22 animal care and control facility [shelter] within the boundaries
23 of said city and said facility shall not be contracted,
24 assigned, traded, bartered or transferred by gift or by any
25 other means except to a Nevada nonprofit corporation without
26 first a majority vote of the registered voters of the city.

27 4. May [P]prohibit cruelty to animals.

28 5. May [P]provide regulations for the prevention of diseases
29 of animals and fowl.

30 **Sec. 5.010 Primary municipal elections.**

31 2. On the Tuesday after the first Monday in May 1987, and
32 at each successive interval of 4 years, a primary municipal
33 election must be held in the city at which time candidates
34 for mayor, for two offices of councilman, municipal animal
35 care and control administrator, and for municipal judge,
36 department 1, must be nominated.

37 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the
38 City of Las Vegas, Nevada, that the following Initiative questions
39 be given to the Registrar of Voters for inclusion on the ballot and
40 be submitted to the registered voters of the City of Las Vegas, Nevada,
41 at the General Election to be held on November 6, 1990:

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SHALL THE ABOVE CHARTER AMENDMENT BE ADOPTED? YES
NO

The proposed amendment would require the City of Las Vegas to resume operation of animal care and control at the Mojave Animal Center.

This proposed Charter amendment will provide residents within the City of Las Vegas boundaries with an animal shelter facility more conveniently located. It will place the responsibility for animal care and control back in the jurisdiction of the City of Las Vegas as opposed to contracting with Dewey Animal Care Center which is a privately owned, for profit organization. Low cost spay and neuter services with a veterinarian in your area are available to City residents through local animal welfare groups.

Passage of this proposal will require the City to cancel its contract with Dewey Animal Care Center, Inc., currently providing animal care, shelter and disposition services to the City and its residents. Passage may also require termination of the contract with the Animal Foundation of Nevada, Inc., operating the Thirty-day Second Chance Program for animal adoption and the low-cost Spay and Neuter Clinic. Passage will also restrict any contracting, assigning, trading or by any other means allowing any use of the facility except to a Nevada nonprofit corporation without a vote of the people.

Passage of this proposal will result in an additional net cost to the taxpayer of \$83,855 in 1991 and \$176,075 in 1992 as a result of the City resuming operation at the Mojave Animal Center. Due to the growth factor, expansion or additional facilities may be necessary in the future, but costs are unknown at this time. If the contract for the Spay and Neuter Clinic must be terminated, the balance of the five-year, \$100,000 a year private donation contribution for this operation may also be terminated.

CITY INITIATIVE QUESTION NO. 2

If City Initiative Question No. 1 is approved by the voters, shall the City of Las Vegas Charter also be amended to increase the number of elected officials by adding one (1) Municipal Animal Care and Control Administrator?

SHALL THE ABOVE CHARTER AMENDMENT BE ADOPTED? YES
NO

EXPLANATION OF QUESTION 2:

The proposed amendment would add one elected position. (The election to fill this position will be held in conjunction with the regular City Municipal election scheduled in 1991.)

ARGUMENT FOR PASSAGE

If the City of Las Vegas resumes operation for animal care and control at the Mojave Animal Center, the official in charge would be elected by the residents of the City and, thereby, answerable directly to those residents.

ARGUMENT AGAINST PASSAGE

Since the proposed elected official does not have to be a veterinarian, control of the Mojave Animal Center for the care and disposition of animals could be under the jurisdiction of a person who may not have the qualifications or background necessary. In addition to the elected official, it may be necessary to hire a veterinarian or contract for veterinarian services.

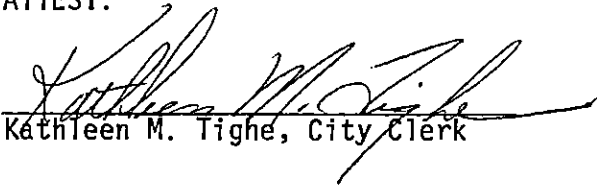
FISCAL NOTE

Passage of this amendment will result in a new salary cost of approximately \$44,000, plus benefits, and CPI increases for the elected official as set by ordinance.

PASSED, ADOPTED, AND APPROVED this 15th day of August, 1990.


MAYOR RON LURIE

ATTEST:


Kathleen M. Tighe, City Clerk