Hybrid Meeting Information

This meeting is being held in a Virtual/In Person format based on City of Durango Resolution R 2022-0017 adopted on April 5, 2022 by the Durango City Council.

The link to the virtual meeting is available here:

http://durangogov.org/zoom

Please note: If this link does not take you directly to the meeting list, please copy and paste it into the address bar of your web browser.

AGENDA

MAYOR: Melissa Youssef
MAYOR PRO-TEM: Jessika Buell
COUNCIL MEMBERS: Olivier Bosmans, Dave Woodruff, Gilda Yazzie
CITY MANAGER: José Madrigal

MISSION
The City of Durango and our employees provide efficient city services, effectively maintain city assets and manage growth, are accountable, ethical and fiscally responsible, and collaborate with regional partners to improve the quality of life for our entire community.

VISION
Durango is an authentic, diverse, multigenerational, and thriving community. Our residents value and enjoy our unique natural environment and benefit from the management of our city's resources in a fiscally responsible, environmental, and socially sustainable manner.

VALUES
* Teamwork
* Dependability
* Professionalism
* Service
* Respect
* Innovation
* Well-Being

STRATEGIC GOALS
* Affordability & Economic Opportunity (AEO)
* Diversity, Equity, Inclusion (DEI)
* Effective Infrastructure Network (EIN)
* Enhanced Livability & Sense of Place (ELSP)
* Environmental Sustainability & Resilience (ESR)
* Financial Excellence & High Performing Government (FE)
* Engaged and Collaborative Governance (ECG)
Theme - Engaged and Collaborative Governance - 2:15 PM

Future New Business and Review of Agendas - 20 minutes

INFORMATION ONLY ITEMS 2:35 PM

Update from Visit Durango on 1st Quarter 2023 activities - 20 minutes

DIRECTION NEEDED ITEMS 2:55 PM

Councilor Response to Impactful Legislation - 30 minutes

Study Session Planning and Scheduling - 30 minutes

10 MINUTE BREAK 3:55 to 4:05 PM

Proposed Ordinance Banning the Sale of Kittens and Puppies at Pet Stores - 30 minutes

Adjournment - 4:35 PM

NOTE THAT ALL TIMES ARE APPROXIMATIONS
TO: DURANGO CITY COUNCIL

FROM: TOM SLUIS, PUBLIC INFORMATION OFFICER AND STAFF LIAISON FOR VISIT DURANGO

SUBJECT: OPERATIONAL UPDATE FROM VISIT DURANGO

RECOMMENDATION:

None needed; informational purposes only.

BACKGROUND SUMMARY:

Visit Durango is the city contractor primarily responsible for allocating 55% of the lodgers’ tax collected for “tourism marketing, including advertising and attracting conferences, conventions and meetings” under the April 2021 ballot language that increased the lodgers’ tax to 5.25%. Councilors have also set a policy for allocating the marketing funds between sustainable marketing uses (75% of dollars) and local events marketing (25% of dollars).

Rachel Brown, executive director of Visit Durango, will present an overview of the first quarter operations for 2023.

STRATEGIC PLAN ALIGNMENT:

Financial Excellence and High-Performing Government

ALTERNATIVE OPTIONS CONSIDERED:

n/a

FISCAL IMPACT:

Visit Durango has contracts to provide marketing services and to run the Welcome Center for $1.65 million in 2023.

POTENTIAL ADVERSE IMPACTS:

n/a

NEXT STEPS AND TIMELINE:

n/a
City Council expressed an interest in having a public discussion regarding possible Councilor responses to Impactful Legislation.

FISCAL IMPACT

Unknown

APPLICABILITY TO STRATEGIC PLAN GOALS

Engaged and Collaborative Government (ECG)

RECOMMENDATION

None
RECOMMENDATION:
This is a proposed study session calendar for the remainder of 2022 condensing the study session topics to one meeting a month with a few exceptions to accommodate the Budget Calendar.

BACKGROUND SUMMARY:
City Council requested staff to explore a condensed study session calendar. Included in the packet is the remainder of 2023 and a proposed study session format and cadence where there would be reduced study sessions.

STRATEGIC PLAN ALIGNMENT:
Financial Excellence and High-Performing Government

ALTERNATIVE OPTIONS CONSIDERED:
Retain the current calendar with two meetings a month.

FISCAL IMPACT:
Reduction in soft cost savings related to calendaring and staff time.

NEXT STEPS AND TIMELINE:
Should the council wish to pursue the proposed change this take effect in July having study sessions at the first meeting of the month.
<table>
<thead>
<tr>
<th>DATE/GOAL</th>
<th>DISCUSSION ITEMS</th>
<th>TIME</th>
<th>DUE DATE TO CLERK</th>
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<tr>
<td><strong>July 5th ECG</strong></td>
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<tr>
<td>Item 1</td>
<td>Future New Business &amp; Review of Agendas</td>
<td>30 minutes</td>
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<td>Direction Needed Items:</td>
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<td>Council Response to Impactful Legislation Timing</td>
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<td>Proposed Ordinance banning the sale of kittens and puppies at pet stores</td>
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<tr>
<td>Study Session Planning and Scheduling</td>
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<td><strong>August 1st FEHPG</strong></td>
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<td>Item 1</td>
<td>Future New Business &amp; Review of Agendas</td>
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<td>Direction Needed Items:</td>
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<tr>
<td>Item 2</td>
<td>Discussion Regarding the Board Prioritized Proposed 2024 Department Capital Projects Budget</td>
<td>1-hour (Airport, Parks, and Recreation, Multi-modal, General Fund, Technology)</td>
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<td>Item 3</td>
<td>Preliminary Fund Forecasts</td>
<td>1-hour (Devon Schmidt)</td>
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<td><strong>August 15th FEHPG</strong></td>
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<td>Item 2</td>
<td>Discussion Regarding the Proposed 2024 Department Capital Projects Budget</td>
<td>1 hour 30 minutes (Public Works (Streets, Water, Sewer, Trash and Recycle))</td>
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<td><strong>September 5th ELS</strong></td>
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<td>Future New Business &amp; Review of Agendas</td>
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*Items in Italics are tentative placements*
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<tr>
<th>Date</th>
<th>Event Description</th>
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<tr>
<td>October 3rd</td>
<td>Item 1</td>
<td>Future New Business &amp; Review of Agendas</td>
<td>30 minutes</td>
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<td>Item 2</td>
<td>Community Support Recommended Block Grants</td>
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<td>October 10th 8:30-4:00</td>
<td>Budget Retreat</td>
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<td>November 7th</td>
<td>Item 1</td>
<td>Future New Business &amp; Review of Agendas</td>
<td>20 minutes</td>
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<td>Item 2</td>
<td>Discussion and Reconciliation of the City Manager’s 2024 Proposed Budget</td>
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<td>December 5th</td>
<td>Item 1</td>
<td>Future New Business &amp; Review of Agendas</td>
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TO:  DURANGO CITY COUNCIL
FROM:  CITY ATTORNEY’S OFFICE
SUBJECT:  REQUEST FOR ORDINANCE REGULATING THE SALE OF ANIMALS

PURPOSE/BACKGROUND

City Council requested information about the regulation of businesses that sell animals (pet stores selling cats and dogs primarily) after receiving an email request from the public to adopt such an ordinance.

A few other Colorado communities have this type ordinance in place.
There are no current businesses issued to pet stores that sell kittens and/or puppies.
Our code generally does not regulate the type of businesses permitted in the city.

The model ordinance provided follows.

WHEREAS, Most puppies and kittens sold in pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals is disregarded in order to maximize profits (“puppy mills” and “kitten mills,” respectively). According to The Humane Society of the United States, an estimated 10,000 puppy mills produce more than 2 million puppies per year in the United States.
WHEREAS, The documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal veterinary care; lack of adequate food, water and shelter; lack of socialization, exercise and enrichment; lack of sanitation.
WHEREAS, Pet store puppies are often sick and have behavioral problems because of the substandard conditions they were likely born into; they were taken from their mothers at a very young age; they were transported in trucks filled with other young puppies; they were placed in a pet store cage with or near other puppies who are often sick.
WHEREAS, Pet stores often mislead consumers as to where the puppies and kittens in the stores came from and make false health and behavior guarantees. Many consumers end up paying hundreds or thousands of dollars in veterinary bills and suffer the heartbreak of having their new pet suffer, and in some cases pass away.
WHEREAS, According to the U.S. Centers for Disease Control and Prevention, pet store puppies pose a health risk to consumers, as over one hundred Americans have contracted an antibiotic-resistant Campylobacter infection from contact with pet store puppies.
WHEREAS, Current federal and state regulations do not adequately address the animal welfare and consumer protection problems that the sale of puppy and kitten mill dogs and cats in pet stores pose. Federal oversight of the commercial breeding industry is severely lacking.
WHEREAS, Prohibiting pet stores from selling dogs and cats is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills and decrease the burden that pet store puppies and kittens that end up in animal shelters place on local agencies and taxpayers.
WHEREAS, The huge majority of pet stores, both large chains and small, family-owned shops, are already in compliance with the proposed [legislation/ordinance] as they already do not sell dogs and cats but rather profit from selling products, offering services, and in some cases, collaborating with local animal shelters and rescues to host adoption events.
WHEREAS, This [legislation/ordinance] will not affect a consumer’s ability to obtain a dog or cat of his or her choice from an animal rescue, shelter, or breeder who sells directly to the public.
WHEREAS, The [legislature/council] believes it is in the best interest of [state/city] to adopt reasonable regulations to reduce costs to the [state/city] and its residents, protect citizens who may purchase cats or dogs from a pet store, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the [City].

Section 1. Definitions

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.
Animal rescue organization means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.
Breeder means a person that maintains a dog or cat for the purpose of breeding and selling their offspring.
Broker means a person that transfers a dog or cat from a breeder for resale by another person.
Cat means a member of the species of domestic cat, Felis catus.
**Dog** means a member of the species of domestic dog, *Canis familiaris.*

**Offer for sale** means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

**Pet store** means a retail establishment where dogs or cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

**Section 2. Restrictions on the Sale of Animals**

No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs or cats provided the pet store shall not have any ownership interest in the animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals.

**Section 3. Penalty.**

A pet store that violates this section shall be subject to a civil penalty of $500, and each dog or cat offered for sale in violation of this section shall constitute a separate violation.

**Section 4. Severability.**

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 5. Effective Date.**

This ordinance shall become effective 90 days after passage.

**FISCAL IMPACT**

Unknown

**APPLICABILITY TO STRATEGIC PLAN GOALS**

Engaged and Collaborative Government (ECG)

**RECOMMENDATION**

None