

RESOLUTION NO. R-2580

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, APPROVING AND ADOPTING BYLAWS FOR THE ANIMAL CONTROL SHELTER ADVISORY BOARD.

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WHEREAS, the City Council adopted Resolution No. R-2525 on July 03, 2018, relating to the City's goal to achieve "No Kill" Shelter status for the Rosenberg Animal Shelter by October 2020; and,

WHEREAS, said Resolution No. R-2525 directs the Animal Control Advisory Board (Board) to evaluate and recommend to City Council all actions necessary to achieve said goal; and,

WHEREAS, the Board recommends establishing bylaws to govern, define, and direct activities of the Board; and,

WHEREAS, the Board has recommended approval and adoption of the bylaws attached hereto as Exhibit "A"; and,

WHEREAS, any future amendment to said bylaws will be subject to approval by the City Council; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The City Council of the City of Rosenberg hereby adopts the Bylaws of the Rosenberg Animal Control Shelter Advisory Board, attached hereto as Exhibit "A" and made a part hereof for all purposes.

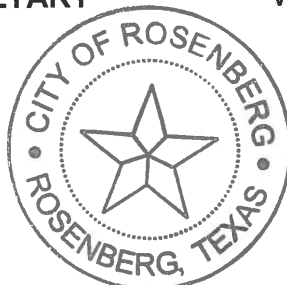
PASSED, APPROVED, AND RESOLVED this 16 day of October 2018.

ATTEST:

APPROVED:


Danyel Swint, CITY SECRETARY


William Benton, MAYOR



**BYLAWS OF THE CITY OF ROSENBERG
ANIMAL CONTROL SHELTER ADVISORY BOARD**

**ARTICLE 1.
NAME**

The name of the board is Animal Control Shelter Advisory Board ("Board" or "ACSAB").

**ARTICLE 2.
PURPOSE AND DUTIES**

The purpose of the Animal Control Shelter Advisory Board is to:

- 1) Advise the Rosenberg City Council in compliance with Texas Health and Safety Code Chapter 823 - Animal Shelters;
- 2) Advise the City Council on budget priorities for the Animal Shelter as identified by staff or by majority vote of the Board members, except on issues related to the administration of the Animal Control Department;
- 3) Advise Rosenberg City Council on animal welfare policies;
- 4) Promote collaboration between the City and private citizens, institutions, and agencies interested in or actively conducting activities relating to animal welfare in the region for the benefit of the Rosenberg Animal Shelter;
- 5) Identify proactive, creative approaches to engage and facilitate communication within the animal welfare community; and
- 6) Foster and assist the development of animal welfare programs in the community.

The Board may study, advise, and report on Animal Shelter policy recommendations it deems effective to the promote animal welfare outcomes consistent with City goals and objectives as outlined by City Council, City Manager and the Chief of Police. This Board may make recommendations to City Council but has no authority to establish policy, regulations or procedures for the City.

**ARTICLE 3.
MEMBERSHIP**

- 1) The minimum Board membership requirements are defined in Chapter 823 of the Texas Health and Safety Code:

Sec. 823.005. ADVISORY COMMITTEE.

(a) The governing body of a county or municipality in which an animal shelter is located shall appoint an advisory committee to assist in complying with the requirements of this chapter.

(b) The advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.

(c) The advisory committee shall meet at least three times a year.

In addition to the minimum state required membership of four (4), the City Council may appoint up to three (3) to seven (7) additional members to serve on the Board. No more than three (3) City Council members may serve on the Board at one time.

Total Board Membership shall include Four (4) to Eleven (11) Members:

- One (1) Licensed Veterinarian (Required)
 - One (1) but no more than Three (3) Municipal Officials (One is required)
 - One (1) Animal Shelter Operations Representative (Required)
 - One (1) Animal Welfare Organization Representative (Required)
 - Up to Five (5) Animal Welfare Volunteers (Optional)
- 2) A quorum of the Board will consist of half the total number of members plus one member.
 - 3) A motion shall pass by vote of a majority of the quorum.
 - 4) All appointed members may cast votes. Proxies may not be appointed to vote in a member's absence.
 - 5) All members serve at the pleasure of the City Council.
 - 6) An individual Board member may not act in an official capacity except through the action of the Board.
 - 7) Board members shall serve for a term of two (2) years beginning on or around the second regular City Council meeting in June of the appointed year, with the exception of City Council members who shall be appointed annually in deference to municipal elections.
 - 8) At each meeting, each Board member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted. The City recognizes that the duties and responsibilities of Board members are advisory in nature; for the purposes of transparency, the City is requesting compliance with conflict of interest requirements.
 - 9) A Board member who is absent for three (3) consecutive regular or special meetings will be considered for removal by the Board. Should consideration of removal for non-attendance be necessary, the Board shall deliberate and take action to remove such member. Should the Board vote to remove a member, the Board may also recommend City Council appoint a replacement member to serve the remainder of the expelled member's term.
 - 10) A member who seeks to resign from the Board shall submit a written resignation to the Chairperson of the Board, the staff liaison, or the City Secretary's office. If possible, the resignation should allow for thirty (30) days' notice so the City Council may appoint a replacement.

**ARTICLE 4.
OFFICERS AND DUTIES**

- 1) The officers of the Board shall consist of a Chairperson and a Vice Chairperson.
 - a. Duties of the Chairperson include:
 - i. The Chairperson shall preside at Board meetings, represent the Board at ceremonial functions, and approve each final meeting agenda.
 - ii. The Chairperson shall maintain orderly consideration of agenda items, keeping discussion relevant to the agenda item under consideration, and ensure all motions, seconds, and votes are accurately recorded. The Chairperson may close debate on agenda item discussion and call for a vote.
 - iii. The Chairperson shall have authority to call for a special meeting of the Board in compliance with the Open Meetings Act (agenda must be posted at least 72 hours in advance); provided staff is informed as soon as possible and is available to be present. A quorum of Board members must also be confirmed to hold a special meeting.
- 2) In the absence of the Chairperson, the Vice Chairperson shall perform all duties of the Chairperson.

3) Officers shall be elected annually by a majority vote of the Board at the first ACSAB meeting after City Council appointments are made in June. In the event a current officer becomes unable to serve as an officer, the Board may hold an emergency election as needed.

ARTICLE 5. AGENDAS

1) Board members may request agenda items for the next meeting at the close of each meeting. Requested items must have majority approval of the Board to move forward.

2) Outside of a Board meeting, two (2) or more Board members may request an item be placed on the agenda by oral or written request to the staff liaison at least five (5) days before the meeting. After first consulting with and receiving input from the staff liaison, the Chairperson shall approve each final meeting agenda.

3) The staff liaison shall submit the meeting agenda through the online agenda posting system for each meeting not less than 72 hours before the meeting.

4) Posting of agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 6. MEETINGS

1) The Board meetings shall comply with Texas Local Government Code Chapter 551 (Texas Open Meetings Act). Members shall be required to complete an Open Meetings training course offered by the Texas Attorney General's office and file a certificate of completion with the City Secretary's office.

2) Board meetings shall be governed by Robert's Rules of Order.

3) The Board may not conduct a closed meeting without consultation with and approval of the City Attorney.

4) The Board shall hold regular meetings on the fourth Wednesday of the month on a quarterly basis in January, April, July, and October, at a time defined in advance by the Board.

a. Upon adoption of these Bylaws, the Board shall hold special meetings on a monthly basis for the purpose of evaluation and recommendation of policies, budget priorities, and other such requirements as needed for implementation of a "No Kill" Animal Shelter Policy, as directed by City Council. This provision may be suspended and the regular meeting schedule resumed by action of the Board.

5) Half the total Board membership plus one member shall constitute a quorum.

6) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.

7) Board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.

8) The Chairperson has the same voting privilege as any other members.

9) The Board shall allow citizens to address the Board on agenda items. The Chairperson may limit a speaker to three minutes and public comments may only be taken prior to deliberation of an agenda item by the Board.

10) The staff liaison or designee shall prepare the Board minutes. The minutes of each Board meeting must include the vote of each member on each item before the Board and indicate whether a member is absent or failed to vote on an item.

11) The City Secretary shall retain agendas, approved minutes, internal review reports and bylaws. The Animal Control and Shelter Department office shall retain all other Board documents. All documents are subject to the Texas Local Government Code Chapter 552 (Texas Public Information Act).

12) The Chairperson shall adjourn a meeting no later than 9:00 p.m., unless the Board votes to continue the meeting.

13) All persons attending a Board meeting should observe standard decorum and treat all in attendance with the proper dignity and respect.

**ARTICLE 7.
COMMITTEES/WORKING GROUPS**

COMMITTEES

The Animal Control Shelter Advisory Board will have no committees.

WORKING GROUPS

1) The Board can establish a working group for the purpose of focused research as directed by the Board and to report its findings to the Board. The Board may determine the size of a working group but the number of Board members serving in a working group may not exceed a quorum of the Board.

2) Quorum requirements do not apply to working groups.

3) Staff support will not be provided for working groups.

4) Working groups are not required to post their meetings in accordance with the Texas Local Government Code Chapter 551 (Texas Open Meetings Act).

**ARTICLE 8.
PARLIAMENTARY AUTHORITY.**

The rules contained in the current edition of Robert's Rules of Order shall govern the Board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which the Board or City Council may adopt.

**ARTICLE 9.
AMENDMENT OF BYLAWS.**

Any amendment of these Bylaws must be approved by the Board and adopted by the City Council.

Bylaws adopted: October 16, 2018