

Wylie Animal Shelter Advisory Board Regular Meeting

February 01, 2023 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

INVOCATION

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Board regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Board requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Board is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

REGULAR AGENDA

1. Consider and act upon the Animal Shelter Advisory Board minutes of December 14, 2022.
2. Consider and place on file the 2022 fourth-quarter statistical information for shelter operations.
3. Consider and place on file the 2022 statistical information for shelter operations.
4. Consider and place on file the 2022 Trap Neuter Release Teral Cat Program statistical information.

WORK SESSION

- WS1. Discussion to add two additional board members to Animal Shelter Advisory Board and provide a recommendation to City Council.
- WS2. Discuss the addition of the City of Wylie, Code of Ordinances Chapter 18 Animals, prohibiting the sale of dogs and cats by retail pet stores and from public places.

ADJOURNMENT

CERTIFICATION

I certify that the City of Wylie Meeting was posted on January 27, 2023 at 5:00 p.m. on the outside bulletin board at Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the Board should determine that a closed or executive meeting or session of the Board or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the Board at the date, hour and place given in this notice as the Board may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with an attorney for the City.

§ 551.073 – Discussing prospective gift or donation to the City.

§ 551.076 – Discussing deployment of security personnel or devices or security plan.

Cancelled



Animal Shelter Advisory Board

AGENDA REPORT

Department: Animal Services
Prepared By: Shelia Patton

Account Code: _____

Subject

Consider and act upon Animal Shelter Advisory Board minutes of December 14, 2022.

Recommendation

Motion to approve Item as presented.

Discussion

The ASAB met on December 14, 2022. The attached minutes are submitted for approval.

Cancelled



Animal Shelter Advisory Board

Minutes

Regular Meeting

December 14, 2022 – 6:00 pm

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Dr. Brad Abraham called to order the Animal Shelter Advisory Board meeting at 6:03 pm. Board members present Shelia Patton, Amber Porter, and Jeff Forrester. Quorum is present. Staff Liaison Lt. Matt Miller and Board Member Susan Sanford are absent.

INVOCATION

The invocation was given by Jeff Forrester.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding a item that is not listed on the Agenda. Residents must fill out a non-agenda form prior to the meeting in order to speak. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate, or take action on any matter presented during citizen participation.

REGULAR AGENDA

1. Consider and act upon an Animal Shelter Advisory Board minutes of November 16, 2022.

Board Action

A motion was made by Jeff Forrester to accept the Animal Shelter Advisory Board minutes of November 16, 2022, as presented. Dr. Brad Abraham seconded to accept the Animal Shelter Advisory Board minutes of November 16, 2022, as presented. A vote was taken, and the motion passed unanimously.

2. Consider and place on file the 2022 Veterinarian Rabies Quarantine Facility Inspection.

Board Action

A motion was made by Jeff Forrester to accept and place on file the 2022 Veterinarian Rabies Quarantine Facility Inspection, as presented. Dr. Brad Abraham seconded to accept and place on file the 2022 Veterinarian Rabies Quarantine Facility Inspection, as presented. A vote was taken, and the motion passed unanimously.

WORK SESSION

WS1. Discuss the Interlocal Cooperation Agreement for the use of Wylie Animal Services and Collin County Community District Veterinary Technology.

Shelia Patton stated that Lt. Matt Miller put this forward, as he was unable to attend the meeting. We've had a couple of meetings with the college regarding a partnership with them. The largest obstacle for us is their 28-day hold policy. Students attend this program and are not required to get pre-exposure rabies vaccines, so the only animals they can work with have to be vaccinated for 28 days. This is an obstacle for us because we don't usually hold animals for that amount of time. Our animals are given rabies vaccinations when they are sterilized. Our current sterilization process is holding the animal for 7 days and then scheduling them for sterilization after the 7-day hold. Shelia Patton doesn't know if Lt. Matt Miller has any additional information, and we may need to bring this up again at the next meeting.

Jeff Forrester has a couple of questions. The first question is about the 28-day hold policy. Would that be for each animal, and would there not be some animals that could be used for the program? Second question. Does the 28-day hold period apply to felines and dogs? If so, is there any workaround for us to utilize so we can use the program?

Shelia Patton stated we would have some animals that could be used. Getting an animal vaccinated can sometimes take up to 30 days. After the animal gets vaccinated, the 28-day hold period will start. We could also use the program for oversized animals. The animal would need to be held at the facility for around 4 weeks before receiving care through the program. Yes, the 28-day hold period does apply to all animals, and she does not see a way around the policy. Students are not only not required to get the pre-exposure vaccine but also have trouble obtaining it. We have also had trouble obtaining the vaccine as well.

Jeff Forrester stated that before COVID, we had a vet that did vaccinations every month. Are we looking to start that again, and could the college help?

Shelia Patton stated the 28-day policy would still apply, so the vet must vaccinate the animals if the animal hasn't been vaccinated for 28 days.

Amber Porter asked if it is the college's policy and if there is a reason behind the policy.

Shelia Patton stated it has to do with the American Veterinarian Medical guidelines. She doesn't know exactly what that is, but maybe Dr. Brad Abraham could answer.

Dr. Brad Abraham stated it is likely because it takes the body three weeks to respond to the vaccine. He doesn't know if there is a State Law. It is a policy from the college and the four weeks is from the time it takes to respond to the vaccine.

Amber Porter stated she only knew of the animal bite quarantine period of 10 days and was curious about the requirement of 28 days.

Shelia Patton stated the pre-exposure vaccine is a three-shot series. After the first shot, the second shot is given seven days later, and the final shot is given 21 or 28 days after the first shot. The rabies virus is only transmittable for ten days. All animals that bite have to go into confinement. The 28-day policy has something to do with the vet tech program. It may not be just Collin College policy but something to do with the program. We also asked if the student could be required to get the pre-exposure rabies vaccine. The college response was that the series was very expensive and hard to obtain.

Jeff Forrester asked how often do they have to receive the vaccine. When would they need to re-up the series?

Shelia Patton stated it depends on the person. They will need to receive a titer to check the vaccine's effectiveness. Sometimes it's two years, and sometimes it is much longer.

Dr. Brad Abraham stated he has been good for 15 years.

Shelia Patton stated that everyone is different.

Jeff Forrester asked if it falls on the school to provide this for the students.

Dr. Brad Abraham stated yes.

Jeff Forrester stated if we can enter into the agreement, the problem is not ours but on the school and students to get the vaccine. Is that a correct statement?

Shelia Patton stated the students can be a part of the program but they only handle animals after they have been vaccinated for 28 days. This will limit the number of animals available for the program.

Jeff Forrester stated he doesn't see any harm in entering into the program. If it is on the school and students to participate and we act as good stewards for our community and animals. He agrees with joining the program unless there is a reason not to join.

Shelia Patton stated that she agrees with Jeff Forrester. She believes if we have animals available and do not change our policies to hold animals, we can benefit from the program. Their main goal is to get our animals into good homes. Our animals can benefit from the program, and it would be safe for them.

Jeff Forrester stated he would like us to join the program. It benefits the city and the students in the program.

Amber Porter stated she agreed.

Dr. Brad Abraham stated he agreed. It is a limited program, but it is better than nothing.

Shelia Patton stated that she would pass this information up the chain of command.

W. 2. Discuss the status of the Board's recommendation related to the Request for a Proposal for a shelter needs assessment study.

Shelia Patton stated that Lt. Matt Miller had placed this on the agenda. We have started the discussion for the RFP. We plan to meet with Glenna and Renae at the beginning of next year and will push for the mid-year budget submittal as suggested by the board.

ADJOURNMENT

Motion was made by Dr. Brad Abraham and seconded by Amber Porter to adjourn the meeting. With no further business before the board, the board's consensus was to adjourn at 6:26 pm.

ASAB Clerk

ATTEST:

Shelia Patton, ASAB member

Canceled



Animal Shelter Advisory Board

AGENDA REPORT

Department: Animal Services
Prepared By: Shelia Patton

Account Code: _____

Subject

2022 fourth quarter statistical information for shelter operations

Recommendation

Consider and place on file 2022 fourth quarter statistical information for shelter operations.

Discussion

Cancelled

Animal Shelter Advisory Board Report

October thru December 2022

	Dogs	Cats	Others	Total
Impounds	162	58	59	279
Owner Surrender	2	2	0	4
Stray	138	35	11	184
Quarantine	15	2	0	17
Safe Keeping	0	0	0	0
DOA	5	14	25	44
Trapped by resident	2	5	23	30
Born at Shelter	0	0	0	0

Dispositions	Dogs	Cats	Others	Total
Return to Owner	109	7	0	116
Adopted	36	36	2	74
Rescued	0	1	0	1
Euthanized	6	3	5	14
Other	0	2	27	29

Euthanasia Reason

Behavioral	4	0	0	4
Medical	2	3	4	9
Policy- H.R.R.C	0	0	1	1
Wild Animal	0	0	0	0

Euthanasia for dogs

43%

Euthanasia for cats

5.36%

Euthanasia for dogs & cats

total

3.90%

Dogs at facility at end of report:

24

Dogs at facility at beginning of report:

18

Cats at facility at end of report:

7

Cats at facility at beginning of report:

12

Euthanasia Rate for Facility October 1, 2022 thru December 31, 2022:

3.90%

Euthanasia Rate for Facility January 1, 2022 thru December 31, 2022:

3.87%



Animal Shelter Advisory Board

AGENDA REPORT

Department: Animal Services
 Prepared By: Shelia Patton

Account Code: _____

Subject

2022 yearly statistical information for shelter operations

Recommendation

Consider and place on file the 2022 yearly statistical information for shelter operations

Discussion

Cancelled

Animal Shelter Advisory Board Report

January thru December 2022

	Dogs	Cats	Others	Total
Impounds	549	197	264	1010
Owner Surrender	11	3	0	14
Stray	418	111	65	594
Quarantine	72	6	0	78
Safe Keeping	13	5	0	18
DOA	30	59	128	217
Trapped by resident	5	13	71	89
Born at Shelter	0	0	0	0

Dispositions	Dogs	Cats	Others	Total
Return to Owner	377	22	7	406
Adopted	109	94	5	208
Rescued	4	1	15	20
Euthanized	14	12	17	43
Other	2	5	92	99

Euthanasia Reason

Behavioral	8	0	0	8
Medical	5	12	12	29
Policy- H.R.R.C	1	0	5	6
Wild Animal	0	0	0	0

Euthanasia for dogs 54%
 Euthanasia for cats 8.51%
 Euthanasia for dogs & cats total 3.87%

Dogs at facility at end of report: 24
 Dogs at facility at beginning of report: 11
 Cats at facility at end of report: 7
 Cats at facility at beginning of report: 3

Euthanasia Rate for Facility January 1, 2022 thru December 31, 2022:

3.87%



Animal Shelter Advisory Board

AGENDA REPORT

Department: Animal Services
Prepared By: Shelia Patton

Account Code: _____

Subject

Trap Neuter Release Statistical Information

Recommendation

Consider and place on file the 2022 Trap Neuter Release Feral Cat Program statistical information.

Discussion

Cancelled

Animal Shelter Advisory Board Report TNR

January thru December 2022

Impounds

Trapped	36
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Dispositions

Euthanized	1
Released	33
Other	2
Total	36

Euthanasia Reason

Behavioral	0
Medical	0
Policy- H.R.R.C	
Wild Animal	0
FelV	1

Euthanasia rate 2.78%



Animal Shelter Advisory Board

AGENDA REPORT

Department: Animal Services

Account Code: _____

Prepared By: Shelia Patton

Subject

Addition of two board members

Recommendation

Discussion

Discussion

Discussion to add two additional board members to Animal Shelter Advisory Board and provide a recommendation to City Council.

Canceled

Sec. 18-123. - Number of members; qualified appointment; terms.

The board shall consist of ~~five~~ **seven** members. The board shall consist of one licensed veterinarian, one member of the city council, the animal services manager of the city (whose duties include the daily operation of the Wylie animal shelter), one representative from an animal welfare organization and ~~one resident~~ **three residents** of the city, with all board members to be appointed by the city council for a term of two years, except for the animal services manager who shall be a permanent member of the board. Except for the animal services manager, no board member shall serve for more than three consecutive terms or six consecutive years (whichever is less); provided, however, that should a board member's replacement not be qualified upon the expiration of any term of a board member, then that board member shall holdover on the board until a qualified replacement board member has been appointed. In addition to board members, the city manager may appoint a staff designee as an ex officio member of the board, who shall have no right to vote on any matter before the board. Each board member shall serve without compensation, but may be reimbursed for actual expenses approved in advance by the city council.

([Ord. No. 2021-22](#), § 2, 4-13-2021)

Sec. 18-127. - Quorum; voting.

~~Three~~ **Four** board members shall constitute a quorum of the board for the purpose of conducting its business, exercising its powers and for all other purposes. No action of the board shall be valid or binding unless adopted by the affirmative vote of a majority of those board members present and voting.

([Ord. No. 2021-22](#), § 2, 4-13-2021)

City of Wylie, Texas Animal Shelter Advisory Board Rules of Procedure



1. Statement

- 1.1. It is hereby declared that appointment to the Animal Control Advisory Board is a distinct honor and the trust imposed in the appointee involves the corresponding obligation of the appointee to serve the community by regular attendance and participation in the proceedings of the body.

2. Creation and Membership

- 2.1. The Animal Shelter Advisory Board was established by City Ordinance No. 2003-1 and serves at the will of the City Council.
- 2.2. The Board shall consist of ~~five (5)~~ **seven (7)** regular members who will serve for terms of two (2) years. A Board member shall generally be limited to three two-year terms with the exception of the Animal Shelter Manager who shall be a permanent member of the Board per Ordinance 2020-01. The Board shall consist of one licensed veterinarian, one member of the City Council of the City of Wylie, Texas, The Animal Services Manager of the City of Wylie, Texas (whose duties include the daily operation of the Wylie Animal Shelter), one representative from an animal welfare organization, and ~~one resident~~ **three (3) residents** of the City of Wylie, Texas.
- 2.3. In accordance with State law, the Board members are required to complete Open Meetings training and receive a Certificate of Completion within the first ninety (90) days of first year appointment. This may be taken online via the Office of Attorney General's website (www.oag.state.tx.us). The Office of the Attorney General offers free video training courses to ensure that all elected and appointed government officials have a good command of both open records and open meetings laws.

3. Officers

- 3.1. The Board shall, at the first meeting after July 1st (and at such other times as these offices may become vacant), select from among its members a Chairperson and Vice-Chairperson to serve for a period of one (1) year.
- 3.2. In the absence of both the Chairperson and Vice-Chairperson during a meeting, the remaining Board members shall elect an Acting Chairperson.

4. Officer's Duties

- 4.1. The Chairperson shall preside over all meetings and briefing sessions, and perform all duties as required by law.

- 4.2. The Vice-Chairperson shall assume all duties of the Chairperson in the absence of the Chairperson.

5. Powers and Duties of the Board

- 5.1. The Animal Shelter Advisory Board shall act in an advisory capacity to Wylie staff and the City Council in any matter pertaining to compliance with Chapter 823, Health and Safety Code.
- 5.2. The Board shall perform all duties as prescribed by State statutes and the City's Code of Ordinance Chapter 18. The City Council has final authority in these matters, and should seek recommendations from the Animal Shelter Advisory Board prior to making final decisions.
- 5.3. The Board shall work with the Animal Services Manager (or designee) on various policy concerns and issues regarding Wylie Animal Services.
- 5.4. The Board shall make recommendations for changes to Chapter 18 of the City Code of Ordinances and/or policies as it relates to compliance with Chapter 823, Health and Safety Code when deemed appropriate.
- 5.5. The Board shall maintain contact with the stakeholder groups from which its members are appointed in working with the Animal Services Manager and staff.
- 5.6. The Board shall work with the Animal Services Manager and designated staff collaboratively to ensure best-in-class quality animal services with the city of Wylie..
- 5.7. The Board shall perform all other duties as the City Council may direct.

6. Orientation Training

- 6.1. Upon his or her appointment to the Board, all new members shall attend an orientation presented by City Staff to familiarize the board members with the operation of Municipal Government, the department organization and policies, and the operating procedures of the Animal Shelter Advisory Board.

7. Rules of Order

- 7.1. The Chairperson shall rule on all points of order.
- 7.2. The Board members may overrule the Chairperson on points of order by a two-thirds (2/3) vote of members present.
- 7.3. Any provisions of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds (2/3) vote of all members of the Board, whose vote shall be entered upon the minutes.

8. Quorum

- 8.1. A quorum shall consist of ~~three (3)~~ four (4) members.
- 8.2. No matters may be handled without the presence of a quorum.
- 8.3. No action of the Board shall be valid or binding unless adopted by the affirmative vote of a majority of those Board members present and voting.

9. Agendas

- 9.1. An agenda shall be prepared by the Animal Services Manager or his/her designee for each meeting of the Animal Services Advisory Board. A copy of the agenda shall be posted in the Municipal Complex as required by law, as well as on the web.
- 9.2. There shall be attached to each agenda item, a report of matters pending further action by the Commission.
- 9.3. All regular and special meetings shall follow, as closely as possible, the printed agenda. The agenda should include, but is not limited to the following:
 - a. Ratification of Minutes;
 - b. Citizens' participation on items not on the agenda;
 - c. Executive Session, as needed;
 - d. Consent agenda;
 - e. Items for individual consideration;
 - f. Breaks at the discretion of the Chairperson;
 - g. Commissioners' or Staff comments on general business;
 - h. Adjournment.
- 9.4. Agendas may be amended by the Chairperson as to order of items, but not as to content, unless overruled by a majority of the members present.

10. Minutes of Meetings

- 10.1. Minutes of all regular and special meetings shall be kept by the Secretary, designated by the Animal Services Manager, and are subject to amendment and ratification by the Board at the next regular meeting.
- 10.2. The minutes of the Board's proceeding shall show the overall vote, or if absent or failing to vote, shall reflect that fact.

11. Regular meetings

- 11.1. The Animal Shelter Advisory Board shall meet at least three (3) times per year and any additional meetings as may be called.
- 11.2. Any Board member missing three (3) consecutive regularly scheduled meetings without prior notification to Staff and/or a valid reason, which may include family emergency, illness, or other reasonable cause, may be subject to dismissal from the Board by the City Council.
- 11.3. All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and these rules of procedure.

12. Special Meetings

- 12.1. Special meetings may be called by the Chairperson or at the request of two (2) or more members, or may be scheduled by a majority of the Board at a previous meeting. The time and place of the special meeting shall be determined by the convening authority.
- 12.2. All members must be notified of any special meeting by giving written notice to all members by an email address of record at least seventy-two (72) hours before the meeting, and the notice must specify the purpose of the meeting.
- 12.3. Special meetings must be posted in accordance with the open meetings act.

13. Addressing the Board

- 13.1. Persons desiring to address the Board shall complete a "Request to Speak" card and submit the card to the Secretary.
- 13.2. The Secretary will sort the speaker cards by agenda item and deliver them to the Chairperson.
- 13.3. The Chairperson will refer to the speaker cards for comments on items not on the printed agenda, and individual agenda item comments.
- 13.4. Persons who note on a speaker card their desire to address the Board will be called to the podium by the Chairperson at the appropriate time and will follow the guidelines of Ordinance 2019-29 as outlined below when addressing the Board;
 - a. Approach the podium, state their name and address and whether or not they are representing a person, group, or organization;
 - b. Speak so that all present in the room may hear clearly;
 - c. Address all statements and questions to the Chairperson;

- d. Be courteous in language and deportment;
- e. Be concise and focused in their Comments;
- f. Group comments should not exceed 6 minutes, individual comments should not exceed 3 minutes unless an interpreter is needed, in which case 6 minutes is allowed.

13.5. The Chairperson may interrupt an individual to redirect or terminate remarks when they are not relevant to the matter before the Board, or when the Chairperson determines the remarks to be out of order.

14. City Staff Responsibilities

- 14.1. The Animal Services Manager or designee shall be responsible for providing the Board with the necessary professional, technical, and clerical services, including:
- a. Prepare and submit the agenda with staff reports and any special items as directed by the Chairperson;
 - b. Coordinate the services of all City Staff and other sources of public information for and on behalf of the Board;
 - c. Maintain a true copy of all Board proceedings;
 - d. Maintain all Board records;

15. Written Request Required

- 15.1. Every proposal submitted for Board action shall be made in accordance with approved application procedures in the appropriate Ordinance or Regulations.
- 15.2. The proposal shall be complete in all respects before being accepted for filing and Board consideration.

16. Conflict of Interest Rule

- 16.1. Conflict of Interest. Should any member of the Board feel he/she has a conflict of interest with an agenda item before the Board, they should openly declare so at the introduction of the item. They are thereby prohibited from discussing, participating in, or voting on the item in question. They shall also fill out a Conflict of Interest form and file it with the Secretary.
- 16.2. Abstention. Should any member of the Board choose to abstain from voting on any question before the Board where no declared conflict of interest exists, their vote shall be recorded as an affirmative vote in the official minutes.

17. Motions

- 16.3. A motion may be made by any member. A second to the motion shall be required before an item is put to a vote.
- 16.4. All votes shall be by a simple majority of members present, except as otherwise stated in these rules of procedure.
- 16.5. When fewer than all the members are present for voting and when all motions for a given application fail to carry by a majority vote, consideration of the application shall be continued under this rule to the next regular meeting, to the extent allowed by law. Failure of the Board to secure a majority concurring vote at said next regular meeting shall be recorded in the minutes as a denial of the proposal under the rule.
- 16.6. When a vote is required by state law or other requirement, and fewer than all members are present, and a simple majority is not reached, the vote shall be recorded as a denial.

17. Repealing Clause

- 17.1. All previously adopted Rules of Procedure of the Animal Shelter Advisory Board are hereby expressly repealed.

18. Suspension of Rules of Procedure

- 18.1. Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate the state law or home rule charter, and provided that not less than two-thirds of the Board members vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended.

PASSED AND APPROVED BY THE ANIMAL SHELTER ADVISORY BOARD OF THE CITY OF WYLIE THIS _____ day of _____, 2023.

TO BE SIGNED AT ASAB
FOLLOWING COUNCIL
ORD. CHANGE

Brad Abraham, Chairman

Amber Porter, Vice-Chairman

Filed in the Office of the City Secretary this _____ day of _____, 2022

Stephanie Storm, City Secretary
City of Wylie, Texas

Cancelled

CITY OF WYLIE ANIMAL SHELTER ADVISORY BOARD BYLAWS

ARTICLE I

Name

Section 1. The City of Wylie Animal Shelter Advisory Board is hereby established to act in an advisory capacity to the city council and to assist the city in complying with the requirements of Chapter 823 of the Texas Health and Safety Code.

Section 2. As authorized by the City Charter, City of Wylie and City Ordinance No. 2003-11 , this body shall be known as the Animal Shelter Advisory Board.

ARTICLE II

Members

Section 1. Number of Members/Qualified Appointment/Terms. The Board shall consist of ~~five (5)~~ seven (7) members. The Board shall consist of one licensed veterinarian, one member of the City Council of the City of Wylie, Texas, The Animal Services Manager of the City of Wylie, Texas (whose duties include the daily operation of the Wylie animal shelter), one representative from an animal welfare organization, and ~~one resident~~ three (3) residents of the City of Wylie, Texas, with all Board members appointed by the City Council for a term of two (2) years, with the exception of the Animal Shelter Manager who shall be a permanent member of the board.

Section 2. Except for the animal services manager, no board member shall serve for more than three (3) consecutive terms or six (6) consecutive years (whichever is less); provided, however, that should a board member's replacement not be qualified upon the expiration of any term of a board member, then that board member shall holdover on the board until a qualified replacement board member has been appointed.

Section 3. In addition to Board members, the City Manager may appoint a staff designee as an ex officio member of the Board, who shall have no right to vote

on any matter before the Board. Each Board member shall serve without compensation, but may be reimbursed for actual expenses approved in advance by the City Council.

ARTICLE III

Meetings

Section 1. The Animal Shelter Advisory Board shall meet at least three (3) times per year and any additional meetings as may be called.

Section 2. Special meetings may be called by the Chair or on the call of any two members of the Board, provided that notice thereof be given in writing to the Chair or Vice Chair.

Section 3. ~~Three (3)~~ Four (4) Board members shall constitute a quorum of the Board for the purpose of conducting its business, exercising its power and for all other purposes. No action of the Board shall be valid or binding unless adopted by the affirmative vote of a majority of those Board members present and voting.

Section 4. No action of the Board shall be valid or binding unless adopted by the affirmative vote of a majority of those Board members present and voting.

Section 5. When vacancies occur on the Board, the City Council shall appoint, by majority vote, a replacement to serve the remainder of the term.

Section 6. Each Board member serves at the pleasure of the City Council and may be removed at the discretion of the City Council. Board member absences shall be controlled by Article VIII of the Wylie's Charter.

Section 7. Robert's Rules of Order (current edition) shall govern the parliamentary procedure of the Board, in cases to which they are applicable and in which they are not inconsistent with these by-laws.

ARTICLE IV

Powers and Duties

Section 1. The Board shall act in an advisory capacity to Wylie staff and the City Council in any matter pertaining to compliance with Chapter 823, Health and Safety Code.

Section 2. The board, through its chairperson, shall report to the city council concerning its activities and proposals by submitting to the city council the approved minutes of each meeting of the board and copies of all reports, inspections conducted by the department of state health services, veterinarians or other authorities and all statistical reports of shelter operations considered and approved by the board.

Section 3. The Board's authority shall not extend to the direction, supervision, employment or termination of Wylie employees. No supervisory power of the Board is created.

Section 4. The Board will develop for City Council approval a set of by-laws governing rules of procedure for their meetings and operation.

Section 5. The Board shall not have the power to obligate Wylie for funds and/or expenditures or incur any debt on behalf of Wylie.

Section 6. All powers and duties prescribed and delegated herein are delegated to the Board, as a unit, and all action hereunder shall be of the Board acting as a whole. No action of an individual Board member is authorized, except through the approval of the board or City Council.

Section 7. The board shall have any other power and/or duty as prescribed and authorized by the City Council.



Animal Shelter Advisory Board

AGENDA REPORT

Department: Animal Services

Account Code: _____

Prepared By: Shelia Patton

Subject

City Ordinance Update

Recommendation

Discussion

Discussion

Discuss the addition to the City of Wylie, Code of Ordinances Chapter 18 Animals, prohibiting the sale of dogs and cats by retail pet stores and from public places.

Canceled

The following words, terms, and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal Services means the City of Wylie Animal Services as defined and appointed under section 18-1.

Animal Welfare Organization means a non-profit organization incorporated under state law and exempt from federal taxation under Section 501(c)(3) of the federal Internal Revenue Code, as amended, and whose principal purpose is the prevention of cruelty to animals and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good homes.

Adoption Agency means an animal welfare organization or animal placement group approved by the animal services manager to take impounded dogs and cats from animal services for adoption to the public.

Retail Pet Store means a business that regularly sells animals as pet purchases to an ultimate owner. The term includes any owner, operator, agent, or employee of the business.

PROHIBITING THE SALE OF DOGS AND CATS BY RETAIL PET STORES

A retail pet store commits an offense if the retail pet store sells, exchanges, barter, gives away, or transfers, or offers or advertises for sale, exchange, barter, give away or transfer a dog or cat, regardless of age.

- (a) A retail pet store may provide space for the display of dogs or cats available for adoption by animal services, an animal welfare organization, or an animal adoption agency if the retail pet store does not have an ownership interest in any of the displayed dogs or cats and the retail pet store does not receive any fees or compensation associated with the display of the dogs or cats.

PROHIBITING THE SALE OF DOGS AND CATS FROM PUBLIC PLACES

- (a) A person commits an offense if he sells, exchanges, barter, or gives away, or offers to sell, exchange, barter, or give away, a dog or cat from:
 - (1) any public property; or

- (2) any property generally accessible by the public, regardless of whether such access was authorized.
- (b) It shall be unlawful for any manager, operator, or property owner to allow the conduct described in subsection (a).
- (c) This section does not apply to:
- (1) animal services,
 - (2) an animal adoption agency; or
 - (3) animal welfare organization.
- (d) It is an affirmative defense to prosecution under subsection (b) and (c) above that the person is working on behalf of a veterinary clinic; animal hospital; bona fide zoological park; circus; educational institution; museum; licensed laboratory; publicly owned nature center; bona fide educational or scientific association or society approved by the director of health; or organization holding permits from an agency of the state or the United States for the care and keeping of animals for rehabilitative purposes.