



Community & Economic Development Department
333 W. McLeroy Blvd., Saginaw, Texas 76179

Council Agenda Background

To: Gabe Reaume, City Manager

From: Keith C. Rinehart, Director of Community & Economic Development

Date: City Council Meeting – May 4, 2021

ITEM:

Consideration and Action regarding Establishing a 501c3 Friends of the Saginaw Animal Services, Animal Welfare and Safety Corporation

PRESENTER:

Keith C. Rinehart, Director of Community & Economic Development

DISCUSSION:

The current Animal Services Shelter was constructed in 2006 when the population was just over 13,000 and it suited the needs of the community at that time. Currently, the Saginaw Texas population is estimated at over 24,000 people and growing. As many as four (4) mixed-use developments are in different phases in the city. Many/most of those residents will have pets and expect greater services. Our facility is limited by the space, funding and staff that we currently have.

The purpose of establishing this 501c3 Friends Organization for Saginaw Animal Services is to help raise thousands of dollars in funds through membership dues, fundraisers, donations and grants. Just by becoming a 501c3, it allows us to apply for and potentially receive grants that we were previously not eligible. In year's past, individuals wishing to donate significant amounts of money to the Shelter (as long as we are a 501c3) have approached Saginaw Animal Services. Because we are not, we have turned down as much as half a million dollars (\$500,000). All proceeds will be used to support the Saginaw Animal Services and Adoption Center. The newly created board will make recommendations for fund usage that the City Council will ultimately consider.

This Animal Services 501c3 is based off and set up very similarly to the Friends of the Saginaw Library Boosters. Same idea, concept and function.

RECOMMENDATION:

- N/A

FINANCIAL IMPACT:

- N/A

ATTACHMENTS:

- Bylaws of 501c3 Friends of the Saginaw Animal Services, Animal Welfare and Safety Corporation
- Copy of Saginaw Library Boosters (Friends of the Saginaw Library) 501c3

If you have any questions, please contact me at 817-230-0331.

Thank you,

A handwritten signature in black ink, appearing to read "Keith C. Rinehart". The signature is fluid and cursive, with the first name "Keith" being more prominent.

Keith C. Rinehart, Director of Community & Economic Development

**BYLAWS
OF
THE SAGINAW TX ANIMAL SERVICES ANIMAL WELFARE AND SAFETY
CORPORATION**

**ARTICLE I
PURPOSE AND POWERS**

Section 1. Purpose. The Corporation is incorporated for the purposes set forth in Article 6 of its Certificate of Formation, the same to be accomplished on behalf of Animal Services at the City of Saginaw Texas, a Texas home-rule municipality (hereinafter referred to as the “City”).

Section 2. Powers. In the fulfillment of its corporate purpose, the Corporation shall be governed by titles 1 and 2 of the Texas Business Organizations Code, as amended (Sections 1.001 to 23.110 of the Texas Business Organizations Code) (hereinafter referred to as the “Code”) and shall have all of the powers set forth and conferred in its Certificate of Formation, in the Code, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

Section 3. Board Action. Any and all action taken by The Saginaw Tx Animal Services Animal Welfare and Safety Corporation d/b/a/ Friends of Saginaw Animal Services Texas board involving the expenditure of funds must have City Council authorization/approval of the City Council of the City of Saginaw, Texas (hereinafter the “City Council”) prior to taking said action consistent with the City of Saginaw Texas Code of Ordinances, as amended.

**ARTICLE II
BOARD OF DIRECTORS**

Section 1. Powers, Number and Term of Office.

(a) The property and affairs of the Corporation shall be managed and controlled by a Board of Directors (hereinafter referred to as the “Board”) and, subject to the restrictions imposed by law, by the Certificate of Formation, and by these Bylaws, the Board shall exercise all of the powers of the Corporation.

(b) The Board shall consist of five (5) directors, each of whom shall be appointed by the City Council .

(c) The directors constituting the first Board shall be those directors named in the Certificate of Formation. The respective initial terms of the Board are set forth in the Certificate of Formation. Thereafter, each successor member of the Board shall be appointed and serve for two (2) years or until his or her successor is appointed as hereinafter provided.

(d) Any director may be removed from office by the City Council at any time without cause.

Section 2. Annual, Regular and Special Meetings of Directors. The Annual meeting of the Board shall be held during the month of June each year. The Board shall designate the time and location of the annual meeting which shall be held at the principal offices of the Corporation. The directors shall hold their Regular meetings at such place or places as the Board may from time to time determine; provided, however, in the absence of any such determination by the Board, the meetings shall be held at the principal office of the Corporation as specified in Article V of these Bylaws. Special meetings of the Board shall be held whenever called by the president, by a majority of the directors, by the Mayor of the City, or by a majority of the City Council. The person or persons calling a Special meeting shall notify the secretary of the Corporation of the information required to be included in the notice of the meeting. In addition to the posting of a meeting notice in accordance with these Bylaws, a copy of each such meeting notice shall be delivered to each director not less than seventy-two (72) hours before the time of the meeting. A meeting notice shall be deemed delivered to any director when deposited in the United States mail addressed to the director at his or her address as it appears on the records of the Corporation or by electronic mail (e-mail). Such additional notice may be waived in writing by a director at any time either before or after the time of the meeting and such additional notice shall be deemed waived by attendance.

Section 3. Notice and Open Meetings Act. The Board shall be considered a “governmental body” within the meaning of Section 551.001 of the Texas Government Code, as amended, and notice of each meeting and deliberation shall be given to the public in accordance with the provisions of Chapter 551 of the Texas Government Code (The Texas Open Meetings Act), as amended.

Section 4. Quorum and Voting. A majority of the directors shall constitute a quorum for the conduct of the official business of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board and of the Corporation unless the act of a greater number is required by law. A director may not vote by proxy. Directors must be present in order to vote at any meeting. Regular attendance at the Board meetings is required of all directors. The following number of absences shall constitute the basis for replacement of a director. Three (3) consecutive unexcused absences from meetings of the Board shall cause the position to be considered vacant.

Section 5. Conduct of Business.

(a) At the meetings of the Board, matters pertaining to the business of the Corporation shall be considered in accordance with rules of procedure as from time to time prescribed by the Board.

(b) At all meetings of the Board, the president shall preside, and in the absence of the president, the vice president shall exercise the powers of the president.

(c) The secretary of the Corporation shall act as secretary of all meetings of the Board, but in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 6. Committees of the Board. The Board may designate not more than two (2)

directors to constitute an official committee of the Board, with such other non-Board members of the committee as may be appointed by the Board, to exercise such authority of the Board as may be specified in the resolution. It is provided, however, that all final, official actions of the Corporation may be exercised only by the Board. Each committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the principal office of the Corporation.

Section 7. Compensation of Directors. Directors shall not receive any salary or compensation for their services as directors. They shall be reimbursed, however, for actual expenses incurred in the performance of their duties hereunder.

Section 8. Board's Relationship with the City. In accordance with state law, the Board shall be responsible for the proper discharge of its duties assigned herein. The Board shall determine its policies and directives within the limitations of the duties herein imposed by applicable laws, the Certificate of Formation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities. Such policies and directives are subject to approval by the City Council. Any request for services made to the departments of the City shall be made by the Board or its designee in writing to the City. The City Council may approve such request for assistance from the Board when City Council finds such requested services are available within the City, and that the Board has agreed to reimburse the City for the cost of such services so provided.

ARTICLE III OFFICERS

Section 1. Titles and Term of Office.

(a) The officers of the Corporation shall be a president, a vice president, a secretary and a treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the president shall not hold the office of secretary. Terms of office shall be one (1) year with the right of an officer to be re-elected.

(b) All officers shall be subject to removal from office at any time by a vote of a majority of the entire Board.

(c) A vacancy in the office of any officer shall be filled by a vote of a majority of the directors.

Section 2. President. The president shall be a member of the Board, shall preside at all meetings of the Board, and may sign and execute contracts and other legal instruments in the name of the Corporation as approved by the Board and City Council.

Section 3. Vice President. The vice president shall be a member of the Board and shall exercise the powers of the president during that officer's absence or inability to act. Any action taken by the vice president in the performance of the duties of the president shall be conclusive evidence of the absence or inability to act of the president at the time such action was taken.

Section 4. Treasurer. The treasurer shall be a member of the Board and shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these bylaws and statutes governing corporations formed under the Code. Upon the approval of the Board, and the City Council, the treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes and other obligations in or drawn upon such bank or banks or depositories as shall be designated by the Board consistent with these Bylaws. The treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all monies received and paid out on account of the Corporation. The City Council may require that the treasurer, at the expense of the Corporation, give a bond for the faithful discharge of his duties in such form and amount as the City Council may require. The City Manager or his or her designee may serve as an Assistant Treasurer for the purposes of handling, custody, and security of all funds and securities of the Corporation, and to assist the Treasurer in performing the duties of Treasurer.

Section 5. Secretary. The secretary shall be a member of the Board, and shall keep the minutes of all meetings of the Board in books provided for that purpose, shall give and serve all notices, may sign with the president upon the approval of the Board in the name of the Corporation, and/or attest to the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation, shall have charge of the corporate books, records, documents and instruments, except the papers as the Board may direct, all of which shall at all reasonable times be open to public inspection upon application at the office of the Corporation during business hours, and shall in general perform all duties incident to the office of secretary subject to the control of the Board. The City Manager or his or her designee may serve as an Assistant Secretary for the purposes of performing the duties of Secretary, including the posting of agendas and keeping minutes of meetings.

Section 6. Compensation. Board members shall be reimbursed for actual expenses incurred in the performance of their duties hereunder, as are approved by the Board.

ARTICLE IV FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. Annual Corporate Budget. At least thirty (30) days prior to the commencement of each fiscal year of the Corporation (which is co-extensive with the City's fiscal year), the Board shall adopt a proposed budget of expected revenues and proposed expenditures of the next ensuing fiscal year. The budget shall contain such classifications and shall be in such form as may be prescribed from time to time by the Mayor for inclusion with the annual budget submitted to the City Council. The budget shall not be effective until the same has been approved by the City Council.

Section 2. Books, Records, Audits.

(a) The Corporation shall keep and properly maintain, in accordance with generally accepted accounting principles, complete books, records, accounts, and financial statements pertaining to its corporate funds, activities, and affairs.

(b) The books, records, accounts, and financial statements of the Corporation shall be

maintained for the Corporation by the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

(c) The City shall cause the Corporation's books, records, accounts, and financial statements to be audited at least once each fiscal year by an outside, independent, auditing and accounting firm selected by the City. Such audit shall be at the expense of the City.

Section 3. Deposit and Investment of Corporate Funds.

(a) All proceeds from the issuance of bonds, notes, or other debt instruments (hereinafter referred to as "Obligations") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, or other documents authorizing or relating to the issuance. No debt shall be issued without prior city council approval.

(b) All other monies of the Corporation shall be deposited, secured, and/or invested in the manner provided for the deposit, security, and/or investment of the public funds of the City. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the City. The Corporation shall pay reasonable compensation for such services by the City.

Section 4. Expenditures of Corporate Money. The monies of the Corporation, including, but not limited to, monies derived from the repayment of loans, rents received from the lease or use of property, proceeds from the investment of funds of the Corporation, proceeds from the sale of property, and proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Certificate of Formation.

Section 5. Contracts for Service. The Corporation may contract with any qualified and appropriate person, association, corporation or governmental entity to perform and discharge designated tasks which will aid or assist the Board in the performance of its duties if approved by the City Council. Such designated tasks may include, but not be limited to, project conceptualization/feasibility studies and project analysis. Furthermore, no such contract shall ever be approved or entered into which seeks or attempts to divest the Board of its discretion and policy-making functions in discharging the duties herein set forth. An administrative services agreement may be executed between the Board and the City Council for the services provided and compensated as provided for herein.

ARTICLE V MISCELLANEOUS PROVISIONS

Section 1. Principal Office.

(a) The principal office and the registered office of the Corporation shall be the registered office of the Corporation specified in the Certificate of Formation.

(b) The Corporation shall have and shall continually designate a registered agent at its registered office, as required by the Code.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be the same as the fiscal year of the City.

Section 3. Resignations. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the president or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 4. Approval or Advice and Consent of the City Council. To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the City Council, such advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the City Council.

Section 5. Services of City Staff and Officers. Subject to approval from the City Council, and to the extent allowed by law, the Corporation shall have the right to utilize the services of the City Attorney, the City Secretary, and departments of the City, provided (a) that the Corporation shall pay reasonable compensation to the City for such services, and (b) the performance of such services does not materially interfere with the other duties of such personnel of the City.

Section 6. Indemnification of Directors, Officers and Employees. To the extent allowed by law, the Corporation shall indemnify each and every member of the Board, its officers, its employees, its attorneys, each member of the City Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorneys' fees incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Corporation.

Section 7. Legal Construction. These Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. In the event of any conflict between the applicable provisions of such Code and these Bylaws, then the applicable provisions of the Code shall control.

Section 8. Severability. If any provision or section of these Bylaws is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not affect any other provision, and the Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws.

Section 9. Headings. The headings used in these Bylaws are used for convenience only and shall not be considered in construing the terms of the Bylaws.

Section 10. Parties Bound. The Bylaws shall be binding upon and inure to the benefit of the directors, officers and agents of the Corporation and their respective heirs, executors, administrators, legal representatives, successors and assigns, except as otherwise provided herein.

ARTICLE VI
EFFECTIVE DATE, AMENDMENTS

Section 1. Effective Date. These Bylaws shall become effective upon the occurrence of all of the following events:

- (a) the recommendation of these Bylaws to the City Council;
- (b) the approval of these Bylaws by the City Council; and
- (c) the approval and adoption of these Bylaws by the Board.

Section 2. Amendments to Certificate of Formation and Bylaws. The Certificate of Formation of the Corporation, and these Bylaws may be amended only in the manner provided in the Code.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and secretary of The Saginaw Tx Animal Services Animal Welfare and Safety Corporation and the foregoing Bylaws constitute the Bylaws of the Corporation. These Bylaws were duly adopted at a meeting of the Board of Directors held on this the _____ day of _____, 20__, as approved by the City Council of the City of Saginaw, Texas, at a meeting held on the _____ day of _____, 20__.

Signed this the _____ day of _____, 20__.

Secretary of the Corporation

SAGINAW LIBRARY BOOSTERS

About the Boosters:

Each year the Saginaw Library Boosters raise thousands of dollars in funds through membership dues, fundraisers like the Book & Bake Sales in the Spring and Fall, donations, and grants. All proceeds are used to support the John Ed Keeter Public Library's programs and services.

Each year the Saginaw Library Boosters donate funds to help make the library's Summer Reading Club Program the huge success that it is every year. In addition, the Boosters help support other programs like the Adult Literacy and English as a Second Language program as well as hold an annual Author Reception to give local authors the opportunity to meet new and current readers and promote the love of reading.

Meetings

- 7 pm
- Third Tuesday of each month, excluding June and July
- John Ed Keeter Public Library
355 W McLeroy Boulevard
Saginaw, TX 76179
- View the [events calendar](#) for more information.

Membership Information

Dues are \$20 annually or 20 volunteer-hours (within 4 months) annually. All memberships are renewable in April of each year. All dues, expenses, and donations to and for the John Ed Keeter Public Library / Saginaw Library Boosters are tax deductible.

- View the [booster membership application \(PDF\)](#).



The Saginaw Library Boosters is a 501(c)(3) nonprofit organization dedicated to promoting the cultural and educational assets of the John Ed



Keeter Public Library. The boosters need volunteers to assist in the library throughout the year through services and fundraisers. Young adults 13 years old and older who have completed the 7th grade are also encouraged to volunteer during summer reading club.

- View the [Texas Library Association Website](#) for ways to advocate for libraries.

Contact Information

For more information on how you can help support the John Ed Keeter Public Library, [email the Library Director](#) or call the Library at (817) 230-0300 option 8.

YOU ARE INVITED....

...to join us! Saginaw Library Boosters is a non-profit 501(C)(3) service organization dedicated to promoting cultural and educational assets for the John Ed Keeter Public Library.

As a member you can...

- Participate in monthly Booster meetings.
- Volunteer at the Library.
- Serve as a representative of the Library.
- Attend seminars and meetings that will enhance your ability to serve.

Your visibility in the respected Saginaw Library Boosters will benefit other organizations in which you may participate.

SERVICES....

- Summer: Children's & Teen's Reading Programs Sponsor
- Year-Round: Book Donation area for access to reading materials – free, or small donations accepted
- Year-Round: Volunteer services for the Library

THE SAGINAW LIBRARY BOOSTERS

John Ed Keeter Public Library



**City of Saginaw
John Ed Keeter Public Library**

355 W. McLeroy Blvd.
Saginaw, Texas 76179
Phone: 817-230-0300
Fax: 817-232-9134
www.saginawlibrarytexas.org
Paula Sallfors, Director

Hours of Operation

Sunday & Monday - Closed
Tuesday & Thursday - 9:00 a.m. to 8:00 p.m.
Wednesday & Friday - 9:00 a.m. to 6:00 p.m.
Saturday - 9:00 a.m. to 6:00 p.m.

Supporting
Your Library
Is
Supporting
Your Community!

Booster Meetings are typically held on the third Tuesday evening of the month at 7:00 and are open to all members and interested parties.

**The John Ed Keeter Public Library
is a member of
North Texas Regional Library
Systems and supports
*Libraries for Literacy.***

If you wish to join us or make a donation,
please complete the form below and mail to:
**Saginaw Library Boosters
John Ed Keeter Public Library
355 W. McLeroy Blvd.
Saginaw TX 76179**

Please make check payable to: *Saginaw Library Boosters*

MEMBERSHIP....

Dues are \$20 annually or the service of 20 volunteer hours (within 4 months) at the Saginaw Public Library annually. All memberships are renewable in April of each year.

The Saginaw Library Boosters is a 501(C)(3) non-profit organization. All dues, expenses and donations to the Boosters and for the John Ed Keeter Public Library are tax deductible.

*"Perhaps no place in any
community is so totally
democratic as the public
library. The only entrance
requirement is interest."* Lady

Bird Johnson

SPECIAL EVENTS....

Seminars

Book/Bake Sale

Authors' Reception

Special Holiday Events

Boosters' Christmas Party

Christmas Events



*The Boosters and former Director Yvonne Flippo
manning their booth at the American Cancer
Society's Relay for Life.*

Name _____

Business _____

Address _____

City & Zip _____

Business Phone _____

Home Phone _____

Cell Phone _____

E-Mail _____

Thank you!

Your Support is Appreciated!

Keith Rinehart

From: Lewis McLain <lewis=mclaindss.com@send.aweber.com> on behalf of Lewis McLain <lewis@mclaindss.com>
Sent: Thursday, February 25, 2021 4:11 PM
To: Keith Rinehart
Subject: Texarkana, Ark: Wealthy widow, cat lover, leaves \$1 million to animal shelter

Wealthy widow, cat lover, leaves \$1 million to animal shelter

www.texarkanagazette.com



Representatives of a late local widow who cared for dozens of cats at a time made her \$1 million donation to the Animal Care and Adoption Center official with a ceremony there Thursday. by Karl Richter Feb. 25 2021 @ 2:11pm

TEXARKANA, Ark. — Representatives of a late local widow who cared for dozens of cats at a time made her \$1 million donation to the Animal Care and Adoption Center official with a ceremony there Thursday.

Attorney John Ross IV and other representatives of the Neva Nell McCormick Trust presented a ceremonial check to the animal shelter's Interim Director Brenda Williamson and city Finance Director TyRhonda Henderson.

"There are going to be some happy cats and dogs," Ross said.

City Manager Kenny Haskin and the Board of Directors will soon decide just how the money will be allocated, Henderson said. Williamson said preliminary plans include renovating the shelter's older buildings to complement a new facility expected to open in late spring or early summer.

"We've already got this new building, but with the money we're going to be able to remodel this old building and use it for our stray animals and puppies. Right now, because this building is so old, it has a lot of diseases in it. Parvo is really bad. Puppies get bad, and they don't survive it.

"We'll be able to use that money to completely redo it to where that is no longer a problem, and we'll be able to save all these little puppies that previously we weren't able to do. It's going to be great," Williamson said.

McCormick, the widow of local chiropractor Roy McCormick, died late last year at age 91, Ross said. A longtime animal lover, she took care of up to 40 cats at a time during her life, even buying them their own house.

McCormick left her entire estate to various animal care organizations, but the donation to the shelter is the only one being made public, Ross said. Because the donation was to a part of city government, subject to financial transparency laws, it could not be kept private. Other donations from the estate will provide continuous funding for years to come, he said.

Williamson was named interim director this week, following the resignation of former Director Kayla Tucker. She spoke about her vision for the shelter's future.

"I really want to bring community awareness to spaying and neutering your pets and making sure they're being kept secure in their yards so we don't have them running around and being picked up.

"I want to be able to have a safe place to be able to put them here if that does happen, and I'd like to have more community involvement, people coming in and volunteering," she said.

4906 Morning Glory Way
McKinney TX 75072
USA

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