

Kaydi Smith

From: City Manager
Sent: Tuesday, January 14, 2025 11:32 AM
To: Kaydi Smith
Subject: FW: Animal Shelter Questions

From: Richard C. Stevenson [REDACTED]
Sent: Wednesday, January 8, 2025 3:34 PM
To: City Manager <citymanager@sweenytx.gov>
Subject: Re: Animal Shelter Questions

These are thorny questions.

First as far as the "new" shelter language, I believe at the time of the agreement, this would be a new structure and facility. I do not believe however, that this precludes the use of an existing structure, as long as that structure meets current animal shelter standards, as it would be a new shelter facility for the city. To proceed with an existing structure, we should probably obtain Thornton's specific agreement.

As to question 2, I really do not know what the council members were saying. But your expressed opinion is one I can agree on. The idea was to place the money in the account until plans and full funding were secured. If the City were to spend all or a portion of the funds without completing the new facility, that would be a mess. The design for the structure was not addressed, but that would probably be a city responsibility as it would be a city facility. I know you do not want to reopen this can of worms, but it might be necessary to get clarification from the council.

As far as question 3, as far as I know this organization is not officially associated with the city, other than the fact that the city is holding the funds for a specific purpose. Whatever role that this person or organization is playing concerning the shelter, should be pursuant to an agreement with the City. I believe you are right in your assessment.

Sent: Tuesday, January 07, 2025 at 4:13 PM
From: "City Manager" <citymanager@sweenytx.gov>
To: "rcstevenson" [REDACTED]
Cc: "Kaydi Smith" <kdsmith@sweenytx.gov>, "dusty@ [REDACTED]" "Brad Caudle" <bbcaudle@sweenytx.gov>
Subject: Animal Shelter Questions

Good after noon Charlie

The Mayor has requested that we place the Animal Shelter issue on our agenda this month to clear up some issues. I have some questions that I think I know the answers to but need your opinion also.

1. On May 2, 2024 a memorandum of agreement was signed by Ms. Thorton and Lindsay referencing a \$50,000 donation for the express purpose of building a new animal shelter for the City.

Item #4 in the agreement: City agrees to use funds donated pursuant to this agreement to Build a NEW City Animal Shelter at a new location from the present animal shelter in accordance with current animal shelter standards.

Question: Does this limit the use to total new construction or does renovation and addition to an existing structure fit the allowable use of the funds?

2. In the March 19, 2024 Council Meeting agenda item: Discussion and possible action to allow the City Manager to execute a contract for the acceptance of a donation in the amount of \$50,000.00 US Dollars for the sole purpose of improving the Sweeny Animal Shelter and request for approval of the proposed animal shelter improvements for inclusion into the City's adopted CIP.

The Motion was made by Councilman Cook and seconded by Councilman Brooks that the City enter an agreement to accept the donation in the amount of \$50,000.00 between the City of Sweeny and Leigh Ann Thorton and Authorize staff to open a dedicated Logic Investment Pool account for the entirety of the donation until the project is fully funded, and direct the city manager to budget for capital cost related to this project in subsequent fiscal years for approval by City Council. All present voted in favor. Councilmembers Morgan Jr. and Pettigrew were not in attendance.

Opinion: Reading this, it is my opinion that non of the \$50,000 is to be spent until such time that A new shelter is designed and cost estimates for the entire project are secured. Then and only then can the project move forward for construction and completion when fully funded.

No where can I find who is suppose to officially design the shelter. I have my opinions on the renovation of the current building but nothing approved by the Council.

3. It is my understanding that the organization involved is NOT an official organization of the City of Sweeny but an organization applying for a 501 C3 tax status. My question here is what legal right does this organization have to offer animals in the City's care for adoption and or foster care. To me that is a huge liability issue on the City without having some kind of contract for the animal welfare and or human care if something was to go wrong. Part of this issue also is the organization is using a social media platform under either Friends of the Sweeny Animal shelter or Benji's animal adoption barn. I am told the page is indicating that they are associated with the City of Sweeny when in fact they truly are not.

Question: How do we separate the two organizations but also work together?

Without an official agreement between the two parties, is it fair to say that the organization should not have access to the animal shelter without the Animal Control Officer being present?

Also should they be advertising on their social media pages animals that belong to the City Animal Shelter without some kind of written agreement between the Two organizations?

I guess I am trying to compare this situation to what Lake Jackson and the SPCA have. Lake Jackson owns the facility and the SPCA is responsible for operations and maintenance and the care of the animals brought in. I also understand that the agreement between them will be changing as the SPCA builds their new facility.

While the care and welfare of these animals is a big concern for me, the City's liability is even a bigger concern moving forward.

I would love to have your opinion on this issue.

David Jordan

City Manager

City of Sweeny

