

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING ORDINANCE 2021-04, CODIFIED AS SAGINAW CITY CODE CHAPTER 2 ADMINISTRATION, ARTICLE V BOARDS AND COMMISSIONS, BY AMENDING SECTION 2-131, GOVERNING THE DIVERSITY & INCLUSION COMMITTEE OF THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Saginaw, Texas is a home rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City of Saginaw previously established the Diversity and Inclusion Committee of the City; and

WHEREAS, the City Council now wishes to further clarify the organization and responsibilities of the Diversity and Inclusion Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAGINAW, TEXAS:

SECTION 1.

That section 2-131 of the Saginaw City Code is hereby amended to read as follows::

“Sec. 2-131. – DIVERSITY AND INCLUSION COMMITTEE.

- (a) *Short Title.* This section shall be known, and may be cited, as the Diversity and Inclusion Committee Ordinance of the City of Saginaw, Texas.
- (b) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Committee. The Diversity and Inclusion Committee of the city.

City. The City of Saginaw.

City Manager. The City Manager of the City, or his or her designated representative.

- (c) *Creation; Membership Requirements.*

- (1) *Creation.* There is hereby created the Diversity and Inclusion Committee of the City.

- (2) *Membership.*

- a. All committee members shall be appointed by the city council, shall be registered voters of the city and shall have resided in the city at least six (6) months prior to their date of appointment.
- b. The committee shall be composed of fifteen (15) regular members and two (2) alternate members, each of whom shall serve two-year terms.
- c. The committee shall, to the extent possible, be broadly representative of economic status, race, color, religion, gender, national origin, ancestry, marital status, physical or mental disability, sexual orientation and gender identity. The city manager shall provide a printed version of the committee demographics to the city council prior to the city council considering new member appointments.
- d. Committee members shall serve without compensation and shall not be employed by or hold any other position in city government. In addition to any other requirements prescribed by the city council, members shall maintain the qualifications established by this section while in office.
- e. The term of office of committee members is two (2) years and shall commence on the first day of July. Initial appointments for establishment of the committee shall be staggered with partial terms, with places 1, 3, 5, 7, 9, 11, 13, 15, and alternate place 1 appointed with terms ending June 30, 2023 and Places 2, 4, 6, 8, 10, 12, 14, and alternate place 2 with terms ending June 30, 2024. Initial place assignments shall be made in accordance with the order applications were accepted.
- f. Up to two city council members may serve as council liaison to the committee. Council members may participate in the deliberation of matters coming before the committee but shall not vote.

(d) *Organization.*

- (1) *Officers.* Every year, the committee shall elect from its members, at the first meeting of the committee held on or after July 1 of each year, a chair, a vice-chair, and a secretary.
- (2) *Rules of Procedure.* The Committee shall establish rules of procedure consistent with city ordinances, resolutions, and regulations.
- (3) *Documentation.* The committee, with the assistance of the City Manager, shall post agendas, minutes, and attendance on the committee page on the city's website.
- (4) *Training.* Members shall complete the statutorily mandated open government training within 90 days of having been sworn in to service or from the

date by which the member otherwise assumes responsibilities for the committee, whichever is sooner.

- (e) *Dismissal from Committee.* Committee members shall actively participate in the committee's activities, and any member who is absent for three consecutive regular meetings of the committee without valid excuse, as determined by the committee, shall automatically be dismissed from membership.

- (f) *Committee Meetings.*

- (1) The committee shall hold at least one regular meeting each quarter. Special meetings may be called as necessary. A majority of the regular committee members serving shall constitute a quorum to do business. The Committee must achieve a quorum at least one meeting per year. Meeting dates and times shall not conflict with other city council or citizen board and commission meetings and must be held at a time that is convenient for at least seventy-five (75%) percent of its regular members.

- (2) All meetings shall be held in accordance with the Texas Open Meeting Act (TEX. GOV'T CODE, §§551.001 et seq.), as it now exists, or as same may hereafter be amended or codified.

- (g) *Duties of the Committee.*

- (1) The Committee shall serve in an advisory capacity and render recommendations upon request of the city council to include, without limitation, as follows.

- a. Create focused recommendations specific to Saginaw related to equity and empowerment issues.
 - b. Actively promote community awareness and education on the value of diversity.
 - c. Promote equity on the basis of economic status, race, color, religion, gender, national origin, ancestry, marital status, lawful source of income, physical or mental disability, familial status, sexual orientation and gender identity.
 - d. Develop recommendations for actions to strengthen policies, practices, services and programs.
 - e. Create a culture and framework of community equity, diversity and inclusion awareness efforts, programs and activities that are available and accessible to all community members.
 - f. Create a purpose, objectives, and goals for the committee, which must be approved by the city council.

(2) The committee shall provide, upon request of the city council, coordination, collaboration, innovation and focus to development effective solutions to address equity and empowerment issues.

(3) The committee shall provide an annual report to the city council by January 31 of each year and may be required to provide additional reports upon request of the city council.”

SECTION 2.

This Ordinance shall be cumulative of all other ordinances of the City of Saginaw and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

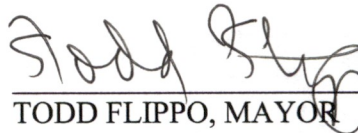
SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 4.

This Ordinance shall take effect immediately from and after its date of passage.

PASSED AND APPROVED ON this the 2nd day of August, 2022.


TODD FLIPPO, MAYOR

ATTEST:


JANICE ENGLAND, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:


BRYN MEREDITH, CITY ATTORNEY

