

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING THE CITY OF SAGINAW CODE OF ORDINANCES CHAPTER 2 ADMINISTRATION, ARTICLE V BOARDS AND COMMISSIONS, BY ADDING A NEW SECTION 2-111, ESTABLISHING A DIVERSITY & INCLUSION COMMITTEE OF THE CITY; SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE COMMITTEE; PROVIDING FOR THE APPOINTMENT OF MEMBERS THERETO; 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 acknowledges that equity occurs when differences such as race, ethnicity, religion, gender, economic status, sexual orientation/gender identification, veteran status, marital status, language, age, disability, etc. do not determine a person's economic, social, or political access; and

WHEREAS, the City of Saginaw is committed to recognizing and undoing discrimination of any type; and

WHEREAS, providing opportunities for the City and residents to engage, participate and support their community through unified and collaborative activities, programs, and collective citizen engagement, culturally diverse programs, business services, trades and entertainment is valued; and

WHEREAS, all members of the Saginaw community offer distinct perspectives, e.g., life experiences, cultural backgrounds, ideas, and interpretations, that foster creativity, innovation, and economic growth; and

WHEREAS, the City of Saginaw will benefit from the identification of potential inequities in City services, programs, human resource practices, comprehensive planning and decision-making processes; and from encouraging and empowering multicultural appreciation on the City; and

WHEREAS, the City of Saginaw will benefit from establishing a Committee of diverse residents to address inequities that impact quality of life for identifiable communities in the City, e.g., race, ethnicity, religion, gender, economic status, sexual orientation/gender identification, veteran status, marital status, language, age, disability, etc., as well as low-income communities in the City with regards to resource allocation, representation, health outcomes, and other disparities; and

WHEREAS, the City Council of the City of Saginaw now finds it appropriate to amend the City of Saginaw Code of Ordinances Chapter 2 Administration, Article V Boards and Commissions, by adding a new Section 2-111 to establish a Diversity and Inclusion Committee; and

WHEREAS, the City Council determines that the matters contained herein are in the best interest of the City and will promote the health, safety and welfare of the citizens of the City of Saginaw.

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

SECTION 1.

That Chapter 2 Administration, Article V Boards and Commissions is hereby amended by adding a new Section 2-111 Diversity and Inclusion Committee, which shall read as follows:

“ARTICLE V. - BOARDS AND COMMISSIONS

Sec. 2-111. – 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.
- (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 and shall serve without compensation.
 - b. The Committee shall be composed of seventeen (17) members to serve three-year terms.
 - c. Each candidate for appointment as a member of the Diversity and Inclusion Committee shall be at least eighteen (18) years old. The Diversity and Inclusion 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.

- 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 three (3) years and shall commence on the first day of February. Initial appointments for establishment of the Committee shall be staggered and with partial terms, with eight (8) members appointed with terms ending January 31, 2023 and nine (9) members appointed with terms ending January 31, 2024.
- 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 January 1 of each year, a chair and a vice-chair.

(2) *Rules of Procedure.* The Committee shall establish rules of procedure consistent with city ordinances, resolutions, and regulations.

(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 month. Special meetings may be called as necessary. A majority of the Committee members serving shall constitute a quorum to do business.

(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.
- (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.

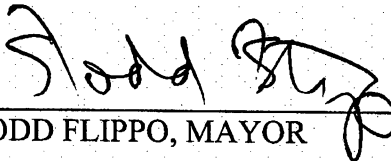
SECTION 3.

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.

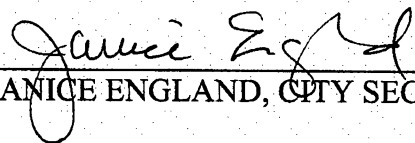
This Ordinance shall take effect immediately from and after its date of passage.

PASSED AND APPROVED ON this the 19th day of January, 2021.



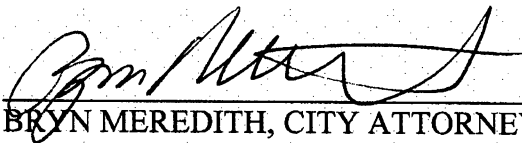
TODD FLIPPO, MAYOR

ATTEST:



JANICE ENGLAND, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:



BRYN MEREDITH, CITY ATTORNEY

