

**ORDINANCE NO. 2022-\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SAGINAW, TEXAS, AMENDING ARTICLE II, "LIBRARY BOARD," OF CHAPTER 46, "LIBRARY," OF THE SAGINAW CITY CODE, WHICH ESTABLISHES A LIBRARY BOARD AND PROVIDES FOR THE PURPOSES, ORGANIZATION, AND MEMBERSHIP OF THE BOARD; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Saginaw 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;

**WHEREAS**, the City Council of the City of Saginaw ("City Council") has previously established a Library Board ("Board"); and

**WHEREAS**, the City Council has previously established regulations for the administrative governance of the Board and now seeks to update those regulations.

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

**SECTION 1.**

That Sections 46-31, 46-32, and 46-33 of Article II, "Library Board," of Chapter 46, "Library," of the Saginaw City Code are hereby amended to read as follows:

**"Sec. 46-31. Appointed.**

There shall be a city library board, which shall exercise advisory supervision over the John Ed Keeter Public Library of Saginaw through cooperation with the library director. The board shall consist of seven members and two alternates to be appointed by the city council. Their terms of office will be two years. Places 1, 3, 5, 7 and alternate place 1 shall end on June 30 of odd number years; Places 2, 4, 6, and alternate place 2 shall end on June 30 of even numbered years. Members shall be qualified voters of the City of Saginaw, having resided in the city at least six months prior to their date of appointment and shall serve without compensation. Members shall serve at the will of the Council and may be removed at any time.

**Sec. 46-32. Procedures.**

The city library board shall elect from its members a chair, vicechair, secretary, and treasurer. A majority of the board shall constitute a quorum for the transaction of business.

**Sec. 46-33. Power.**

The board shall prescribe its own rules with respect to meeting time and place, as well as rules of procedure at the meeting. It shall have the duty and power of making, adopting and enforcing all necessary by-laws, rules and regulations governing the use of the John Ed Keeter Public Library of Saginaw, its reading rooms, books and other property, of purchasing books, journals, publications and other materials for library purposes with funds available to it from the city council, with the due regard for the professional advice and recommendations of the library director, and of prescribing hours of and locations for the library and its operation. All decisions of such board shall be subject to review by the city manager, who shall keep the city council advised as he deems necessary or appropriate. Any decision of the board shall likewise be subject to veto by either the city manager or the city council."

**SECTION 2.**

That the Saginaw City Code is hereby amended by adding a section, to be numbered 46-36, which said section reads as follows:

**"Sec. 46-36. Administration.**

- (a) The board shall meet at minimum of once per quarter and prescribe its own rules with respect to meeting time and place, as well as rules of procedure at the meeting. The board shall present an annual report to the council at least once per year. One board member shall be present when proposals on behalf of the library are presented to the Council. The board, by and through the city manager, or designee, shall have the duty and power of making, adopting and reporting all necessary bylaws, rules and regulations governing the use of the John Ed Keeter Public Library of Saginaw, its reading rooms, books and other property, of purchasing books, journals, publications and other materials for library purposes with funds available to it from contributions and appropriated by the City Council, with due regard for the professional advice and recommendations of the Library Director, and of recommending hours of and locations for the Library and its operation. All decisions of such board shall be presented to the city council recommendations. The City Council shall have final decision-making authority over all matters pertaining to the John Ed Keeter Public Library of Saginaw.
- (b) The board, with the assistance of the city manager, or designee, shall post all meeting schedules, agendas, minutes, and the board's budget on the board's webpage on the city's website.
- (c) Board members shall complete all statutorily required open government training within 90 days of either the date upon which the member is sworn into service or the date by which the member assumes their responsibilities, whichever is sooner."

### **SECTION 3.**

This ordinance shall be cumulative of all provisions of ordinances and of the Saginaw City Code, and except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

### **SECTION 4.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section 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 phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

### **SECTION 5.**

This ordinance shall be in full force and effect from and after its passage and approval, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

EFFECTIVE: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY