

ORDINANCE 2014-07

AN ORDINANCE OF THE CITY OF PENITAS, TEXAS,
ADOPTING A RECORDS CONTROL SCHEDULE,
PROVIDING FOR THE PUBLICATION OF THIS
ORDINANCE; AND MAKING OTHER FINDINGS AND
PROVISIONS RELATED THERETO.

WHEREAS, the City of Peñitas is a legally incorporated Home Rule city under the State of Texas Constitution, and

WHEREAS, Title 6, Subtitle C. Local Government Code provides that a City must establish by Ordinance an active and continuing Records Management Program to be administered by a Records Management Officer; and

WHEREAS, the City Council of the City of Peñitas finds it advantageous to adopt the State of Texas Records Retention Schedules and to provide for the automatic use of the latest State of Texas Records Retention Schedules;

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

Section 1. A) The City of Penitas hereby adopts the appropriate records control schedules issued by the Texas State Library and Archives Commission for use in the City of Penitas, as provided by law. Any destruction of records of the City of Penitas will be in accordance with these schedules and the Local Government Records Act.

B) The records management officer, in cooperation with department heads and records liaison officers, shall maintain an inventory, on a department-by-department basis, listing all records archived by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of local municipal government records as the records management plan may require.

C) The records management officer will monitor the appropriate records control schedules issued by the Texas State Library and Archives Commission to ensure that the City is in compliance with the records retention schedules issued by the state and the records management program of the city.

D) Before implementation of the records control schedules issued by the Texas State Library and Archives Commission, Ordinance No. 2014-07, adopting the Texas State Library and Archives Commission records control schedules shall be submitted to and accepted for filing by the Director and Librarian of the Texas State Library and Archives Commission as provided by state law. If Ordinance No. 2014-07 is not accepted for filing, the Ordinance shall be amended to make it acceptable for filing with the state and presented to Council, after which the records management officer shall submit the amended Ordinance to the Director and Librarian.

Section 2. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Penitas, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 3. This Ordinance shall become effective fourteen days after the final reading and adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, as required by law. The City Secretary is directed to publish the caption of this Ordinance in the City's official newspaper within 14 days after the passage of the ordinance.

Section 4. City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Texas Government Code, Chapter 551.

READ, and CONSIDERED on First Reading this the 5th day of November, 2014 at a REGULAR CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code.

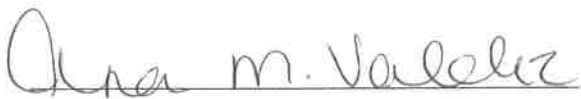
CITY OF PENITAS, TEXAS



MAYOR ANTONIO "TONY" FLORES JR.




ATTESTED BY:



CITY SECRETARY ANA VALDEZ

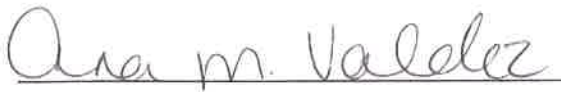
READ, and CONSIDERED on Second Reading this the 3rd day of December 2014 at a Regular CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code.

CITY OF PENITAS, TEXAS



MAYOR ANTONIO "TONY" FLORES JR.

ATTESTED BY:



CITY SECRETARY ANA VALDEZ

READ, CONSIDERED, and APPROVED on Third Reading this the 7th day of January ~~2014~~ ²⁰¹⁵ at a Regular CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code.

EXECUTED THIS 7th DAY OF January ~~2014~~ ²⁰¹⁵.

CITY OF PENITAS, TEXAS

ATTESTED BY:



MAYOR ANTONIO "TONY" FLORES JR.



CITY SECRETARY ANA VALDEZ