

ORDINANCE No. 2022-33

AN ORDINANCE OF THE CITY OF LEON VALLEY, TEXAS, CITY COUNCIL, AMENDING THE CITY OF LEON VALLEY CODE OF ORDINANCES, CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1.13 RECORDS MANAGEMENT, SECTION 1.13.002, ADDITIONAL DEFINITIONS; REMOVING SECTION 1.13.006, THE RECORDS MANAGEMENTT COMMITTEE; REMOVING SECTION 1.13.012, THE IMPLEMENTATION OF RECORDS CONTROL SCHEDULES; DESTRUCTION OF RECORDS UNDER SCHEDULE; PROVIDING FOR REPEALER, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING NOTICE OF OPEN MEETING

WHEREAS, Title 6, Subtitle C, Local Government Code Chapter 201 (Local Government Records Act) provides that a municipality must establish by ordinance an active and continuing records management program to be administered by a Records Management Officer; and

WHEREAS, the City of Leon Valley adopted an ordinance in June of 2020 for that purpose; and

WHEREAS, the City of Leon Valley desires to amend the ordinance and to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient record keeping; and

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

SECTION 1. AMENDMENT. The City's Code of Ordinances Chapter 1 General Provisions, Article 1.13 Records Management, Section 1.13.002 Additional definitions is hereby amended, Sec 1.13.006 Establishment of records management committee; duties is deleted in its entirety; Section 1.13.012 Implementation of records control schedules; destruction of records under schedule is deleted in its entirety as follows:

Sec. 1.13.002 Additional definitions

Add

(a) Definitions. In this section the terms set out in italics (*italics*) shall have the meanings prescribed below:

Delete

~~Records management committee. The committee established in section 1.13.006 of this article.~~

~~Sec. 1.13.006 — Establishment of records management committee; duties~~

- ~~(a) — The duties of the records management committee are to:~~
- ~~(1) — Assist the records management officer in the development of policies and procedures governing the records management program;~~
 - ~~(2) — Review the performance of the program on a regular basis and propose changes and improvements if needed;~~
 - ~~(3) — Review and approve records control schedules submitted by the records management officer;~~
 - ~~(4) — Give final approval to the destruction of records in accordance with approved records control schedules; and~~
 - ~~(5) — Actively support and promote the records management program throughout the city.~~
- ~~(b) — The committee shall be composed of each department director and the records management officer.~~
- ~~(c) — The committee will also have two (2) city councilmembers appointed by the city council. Each city councilmember will serve a one (1) year term with no term limit.~~

SECTION 2. REPEALER CLAUSE. The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

SECTION 3. SEVERABILITY CLAUSE. If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

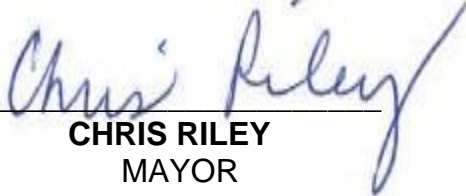
SECTION 4. SAVINGS CLAUSE. The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION 5. EFFECTIVE DATE. That this Ordinance shall take effect immediately from and after its passage as required by law.


SECTION 6. NOTICE OF MEETING CLAUSE. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 19th day of July 2022.

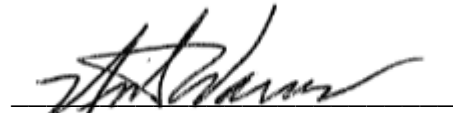
APPROVED


CHRIS RILEY
MAYOR

Attest :


SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:


NICOLE WARREN
City Attorney

