

ORDINANCE NO. 002-95

AN ORDINANCE ADOPTING THE RECORDS RETENTION MANUAL OF THE CITY; ESTABLISHING THE RECORDS RETENTION POLICY OF THE CITY; REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; WAIVING READING AT MULTIPLE MEETINGS; AND, PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, Title 6, Subtitle C, Local Government Code provides that a municipality must establish, by ordinance, an active and continuing record management program; and

WHEREAS, the Texas State Library has accepted the Records Control Schedules submitted on December 15, 1994;

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

SECTION 1. Finding of Fact. - The findings and recitations set out in the preamble of this Ordinance are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City hereby adopts its Record Retention Manual and establishes its Record Retention Policy, contained in said manual, as if same were written herein verbatim.

SECTION 3. Repeal Of Conflicting Ordinances - All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 4. Severability - It is hereby declared to be the intention of the City Council that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity 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 of this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 5. Effective Date - This Ordinance shall take effect immediately from and after its passage.

SECTION 6. Waiver of Multiple Meetings - Pursuant to Article VII, Section 10 of the City Charter the requirement for reading this ordinance at two meetings of the City Council is hereby waived.

SECTION 7. Open Meeting - It is hereby officially found and determined that the meeting at which this Ordinance was passed were open to the public as required and that public notice of the time, place, and purpose of said meetings were given as required by the Open Meetings Act, Texas Government Code Chapter 551 (Vernon 1994).

BE IT SO ORDAINED.

PASSED, APPROVED AND ADOPTED on the 25th day of April, 1995.

CITY OF DE LEON

ATTEST:

  
Georgia Ann Fields, Assistant City Secretary

  
Joseph Martinez, Mayor Pro Tempore