

ORDINANCE NO. 085-016

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE CODE OF ORDINANCES TO ADD CHAPTER 19. RECORDS MANAGEMENT; PROVIDING FOR SECTION 19-1, DEFINITION OF CITY RECORDS; PROVIDING FOR SECTION 19-2, CITY RECORDS DECLARED PUBLIC PROPERTY; PROVIDING FOR SECTION 19-3, POLICY; PROVIDING FOR SECTION 19-4, RECORDS MANAGEMENT DEPARTMENT; PROVIDING FOR SECTION 19-5, OFFICE OF RECORD MANAGER ESTABLISHED; PROVIDING FOR SECTION 19-6, DUTIES OF RECORDS MANAGER; PROVIDING FOR SECTION 19-7, RESPONSIBILITIES OF CITY DEPARTMENT HEADS; PROVIDING FOR SECTION 19-8, RESPONSIBILITIES OF RECORD OFFICERS; PROVIDING FOR SECTION 19-9, CITY OFFICES TO USE RECORDS SCHEDULES; PROVIDING FOR SECTION 19-10, ONE-TIME DESTRUCTION OF OBSOLETE RECORDS; PROVIDING FOR SECTION 19-11, RECORDS CENTER; PROVIDING FOR SECTION 19-12, NON-CURRENT RECORDS NOT TO BE MAINTAINED IN OFFICE FILES; PROVIDING FOR SECTION 19-13, MICROFILMING PROGRAM ESTABLISHED; PROVIDING FOR SECTION 19-14, RECORDS TO BE MICROFILMED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEAL CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, Article 6574c, Vernons Texas Civil Statutes, provides that any incorporated city may adopt an ordinance providing for microfilming and retention of public records, and

WHEREAS, the Town of Addison desires to adopt such an ordinance and to establish policies and procedures providing for an orderly and efficient system of records retention, retrieval, and destruction; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Code of Ordinances of the Town of Addison, Texas, be amended by adding Chapter 19 as follows:

CHAPTER 19.

RECORDS MANAGEMENT

ARTICLE I. IN GENERAL

Section 19-1. Definition of City Records. All papers, correspondence, memoranda, accounts, reports, maps, plans, photographs, sound recordings, files, microfilm, microphotograph, magnetic or paper tape, punched card, or other documents, regardless of physical form or characteristic, which have been or shall be created, received, filed, or recorded by any city office or department or its lawful successor, or officials thereof in pursuance of law or ordinance or in the conduct, transaction, or performance of any business, duty, or function of public business, whether or not confidential or restricted in use, are hereby declared to be records of the Town of Addison, and shall be created, maintained, and disposed of in accordance with provisions of this ordinance and procedures authorized by it and in no other manner.

Section 19-2. City Records Declared Public Property. All city records as defined in Section 19-1 of this ordinance are hereby declared to be property of the Town of Addison. No city official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Section 19-3. Policy. It is hereby declared to be the policy of the Town of Addison to provide for efficient, economical, and effective controls over creation, distribution, organization, maintenance, use, and disposition of all city records through a comprehensive system of

integrated procedures for the management of records from their creation to their ultimate disposition.

Section 19-4. Records Management Department. There is hereby established a Records Management Division. The City Secretary is responsible for directing the Division and coordinating records management operations among the city offices and department.

Section 19-5. Office of Record Manager Established. A city Records Manager shall be appointed by the City Manager who shall administer the Records Management Division and shall be responsible for city-wide files management and records disposition program direction, guidance, and technical assistance. The records manager shall report to and be responsible to the City Manager in the same manner as other department heads.

Section 19-6. Duties of Records Manager. The records manager shall have the following duties, and others as assigned by the City Manager:

(1) Planning, formulating, and prescribing basic files management and records disposition policies, systems, standards, and procedures.

(2) Preparing records schedules for all city offices and departments defining and identifying vital and permanent records, and establishing retention periods for all records. Retention periods shall be no shorter than desired by the originating office, but shall be as long as deemed necessary by either the Records Manager, the City Attorney, or the Finance Director.

(3) Reviewing schedules annually and update or change as needed.

(4) Coordinating the city-wide files management and records disposition programs and evaluating program effectiveness in an annual report to the City Manager.

(5) Providing records management advice and assistance to all city offices and departments, by preparation of manuals of procedures and policies and by on-site consultation.

(6) Developing, analyzing, and coordinating files maintenance and records disposition procedures, including but not limited to those prescribed by this ordinance, to meet the current and long-term information needs of the city.

(7) Carry out at the proper time actions such as microfilming, destruction and transfers which are required by record schedules.

(8) Establish and monitor compliance with standards for filing and storage equipment and supplies in all city offices and department, and report to the City Manager failure of any office or department to comply with standards.

(9) Develop a city-wide forms design and control system.

(10) Establish in cooperation with other responsible city officials a disaster plan for each city office and department to insure maximum availability of records for re-establishing operations quickly and with minimum disruption and expense.

Section 19-7. Responsibilities of City Department Heads. All city office and department heads are responsible for implementation and operation of effective files operations, records transfers and dispositions and other activities in accordance with the provisions of this ordinance, within their areas of responsibility. They shall designate qualified Record Officers within their offices and provide the Records Manager the name of such designees and of all file stations and files custodians under their supervision.

Section 19-8. Responsibilities of Records Officers. The Records Officer in each office and department is responsible for providing coordination between the Records Manager and personnel in his office to ensure that provisions of this ordinance and policies and procedures adopted pursuant to it are complied with. This responsibility shall

include overseeing the application of records schedules within the office or department.

Section 19-9. City Offices to Use Records Schedules. All city offices and departments shall adopt records schedules and destroy, transfer, or otherwise dispose of records only according to such schedules. Retention periods to be included in schedules shall be submitted by the Records Manager to the Finance Director and City Attorney, who shall notify the Records Manager within 10 working days of this approval or of any objection to a retention period. At the expiration of the ten day period, if no objection has been submitted, the record schedule shall be adopted and shall have full force as sufficient authorization for records destruction or other action. If objection is made, the Records Manager shall determine a retention period satisfactory to the office concerned, to the Finance Director, and to the City Attorney.

When a retention schedule is adopted, it shall thereforth constitute full authority to destroy, transfer, microfilm or take other actions, and the City Council hereby directs that such action be taken by the Records Manager or under his supervision. The Records Manager shall notify the State Library of intended destruction, as required by law, but no further notice to the City Council or other city office shall be required.

Revision of retention periods shall be submitted for review by the City Attorney and Finance Director in the same manner as the original retention periods.

Section 19-10. One-Time Destruction of Obsolete Records. Prior to adoption of schedules for an office, a one-time destruction of accumulated obsolete records of that office may be made by or under the supervision of the Records Manager. Prior to such destruction the Records Manager shall submit lists of records to be destroyed to the Finance Director and the City Attorney, who shall give notice within 10 working days of any records they believe should not be destroyed. The Records Manager shall also submit notice as required by law to the State Library. Obsolete records shall include those no longer created by the office of department and no longer needed for administrative, legal, fiscal, or other research purposes.

Section 19-11. Records Center. The Records Manager shall design a Records Center operation, which shall provide low cost storage of records no longer required to be kept in active office space. The Records Center operation shall utilize one or more buildings to insure security of records from deterioration, theft, or damage during the period of storage and to permit fast efficient retrieval of information from stored records. An information retrieval service and microfilming program shall be carried out in conjunction with the Records Center operation for the benefit of city offices.

Section 19-12. Non-Current Records Not to be Maintained in Office Files. Records no longer required in the conduct of current business by any office of the City shall be promptly transferred to the Records Center or the State Library, or destroyed, at the time such action is designated on an approved schedule. Such records shall not be maintained in current office files or equipment.

Section 19-13. Microfilming Program Established. A centralized microfilming program shall be designed and implemented by the Records Manager to serve all city offices and departments. No office or department shall operate a separate microfilm program, and no city funds may be expended to film or contract with a service company to film any city records, except through the Records Management Department.

Section 19-14. Records to be Microfilmed. The Records Manager shall determine how long the various records of the city could be stored in the record center before the cost of storage during their retention periods would exceed the cost of preserving them in microfilm format. In making this determination the Records Manager shall also compare long term lease of low cost facilities, in addition to or in place of the present records storage building, with the cost of microfilm. In calculating comparative costs, he shall consider document preparation and refiling time of staff, and other indirect costs of microfilming, as well as cost of separate archival storage for master negatives for microfilm. Records determined to be more economically stored on microfilm, shall be microfilmed and in addition, the Records Manger shall include the following types of records in the microfilming program:

(1) Those which because of the nature of the information they contain, are indispensable to the continued operations of an office and, therefore, should be microfilmed to provide a security copy.

(2) Those which, because of high volume use, require frequent and/or large numbers of copies to be made which could be made more efficiently or economically through microfilm.

SECTION 2. SEVERABILITY CLAUSE. If any section or part of any section of this ordinance shall be held to be invalid by a court of

competent jurisdiction, such holding shall not effect the remainder of this ordinance nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part to which such holding shall directly apply.

SECTION 3. REPEAL CLAUSE. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other ordinances of the city not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. EMERGENCY CLAUSE. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,
this the 12th day of March, 1985.



MAYOR

ATTEST:



CITY SECRETARY

Richard
Blair