

CITY OF BALCH SPRINGS, TEXAS

ORDINANCE NO. 3200-19

AN ORDINANCE OF THE CITY OF BALCH SPRINGS, TEXAS, AMENDING SEC. 2-304, TITLED “RECORDS MANAGEMENT OFFICER DESIGNATED, OF ARTICLE VII, TITLED “PUBLIC RECORDS,” OF CHAPTER 2, TITLED “ADMINISTRATION” OF THE CITY OF BALCH SPRINGS CODE OF ORDINANCES TO SPECIFY THAT THE CITY SECRETARY SHALL SERVE AS THE CITY’S RECORDS MANAGEMENT OFFICER; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, House Bill 1962, enacted by the Texas Legislature and effective on September 1, 2019, requires local governments to submit the Texas State Library and Archives Commission (“TSLAC”) the identity of the records management officer of that local government; and

WHEREAS, the TSLAC has informed the City Secretary of Balch Springs that it recommends that the City’s policy related to public records identify the position held by the records management officer; and

WHEREAS, Sec. 2.304 of the City’s Code of Ordinances provides that the City Manager shall designate an employee to serve as records management, and should be amended in order to comply with TSLAC recommended policy;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALCH SPRINGS, TEXAS, that:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Sec. 2.04 of Article VII of Chapter 2 of the City of Balch Springs Code of Ordinances is hereby amended to read as follows:

Sec. 2-304. - Records management officer designated.

The city secretary and successive holders of that office shall serve as records management officer for the city. The City Secretary shall file his or her name with the Texas State Library and Archives Commission as required by state law.

SECTION 3. All provisions of the ordinances of the City of Balch Springs in conflict with the provisions of this ordinance are hereby repealed to the extent of

such conflict, and all other provisions of the ordinances of the City of Balch Springs not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of any remaining provision of the Code of Ordinances or the Code of Ordinances as a whole.

SECTION 5. This ordinance shall take effect immediately from and after its passage and after any publication required by law.

DULY PASSED AND ADOPTED by the City Council of the City of Balch Springs, Texas, on the 12th day of August, 2019.

APPROVED:

Steven Gorwood, Mayor

ATTEST:

Cindy Gross, City Secretary