

ORDINANCE NO. O-2025-002

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, RECORDS MANAGEMENT, SECTIONS 2-149, 2-150, AND 2-153 OF THE CITY COUNCIL CODE OF ORDINANCES OF THE CITY OF SHAVANO PARK, TEXAS PROVIDING ADJUSTMENTS TO RECORDS MANAGEMENT; PROVIDING A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Shavano Park wishes to clarify the records management procedures; and

WHEREAS, the City Council of the City of Shavano Park recognizes the benefit of clarity by providing uniformity amongst the City procedures; and

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

**I
CODE AMENDMENT**

Sec. 2-149. Duties of Records Management Officer.

(15) Report annually to the City Manager on the implementation of the records management plan in each department of the City;

Sec. 2-150. Duties and responsibilities of department heads.

(3) Maintain records in their care and carry out their preservation, electronic copying, destruction, or other disposition only in accordance with the policies and procedures of the records management program of the City and the requirements of this article.

Sec. 2-153. Implementation of records control schedules; destruction of records under schedule.

(b) A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending lawsuit, or the department head requests to the Records Management Officer that the record be retained for an additional period.

**II
CUMULATIVE CLAUSE**

That this ordinance shall be cumulative of all provisions of the City of Shavano Park, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

**III
SEVERABILITY**

That it is hereby declared to be the intention of the City Council of the City of Shavano Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.


**IV
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted 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

**V
EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by State and Local law.

PASSED AND APPROVED on the first reading by the City Council of the City of Shavano Park this the 24TH day of March, 2025.



ROBERT WERNER, MAYOR

Attest:



KRISTEN M. HETZEL, City Secretary