

ORDINANCE NO. 4021
(Amend Henderson Municipal Code Chapter 2.47 – Records Management)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON,
NEVADA, TO AMEND CHAPTER 2.47 – RECORDS MANAGEMENT – OF THE
HENDERSON MUNICIPAL CODE.

- WHEREAS, Ordinance 926 was adopted on - - - - January 3, 1984; and
- WHEREAS, Ordinance 1986 was adopted on - - - - March 21, 2000; and
- WHEREAS, Ordinance 2729 was adopted on - - - - May 20, 2008; and
- WHEREAS, Ordinance 2955 was adopted on January 17, 2012; and
- WHEREAS, Ordinance 3075 was adopted on October 15, 2013; and
- WHEREAS, Ordinance 3195 was adopted on August 19, 2014; and
- WHEREAS, Ordinance 3450 was adopted on October 17, 2017; and
- WHEREAS, The City Council of the City of Henderson reaffirms its commitment to an open and transparent government; and
- WHEREAS, As a large full-service city, with programs and services that require the collection and creation of confidential information, the City Council of the City of Henderson also believes that an essential component of a city records management program includes processes and procedures that protect confidential records from disclosure; and
- WHEREAS, The City Council believes that it is important to balance personal privacy with the public's right to know the information contained in official City records; and
- WHEREAS, The City Council believes that the Office of the City Clerk, City Archives and Records Division is best positioned to oversee the management of public records requests; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. Chapter 2.47 Records Management is hereby amended as follows:

2.47.020 - City archives and records division.

- A. Pursuant to the provisions of NRS 239.125(1) the city archives and records division is a division of the city administered by the city clerk.
- B. The division shall:
1. Follow accepted procedures for the management of records to increase the efficiency of the recordkeeping system and reduce the administrative costs associated with the creation, maintenance, use, retention and disposition of records;
 2. Follow accepted standards of archival practice to ensure the preservation of records with permanent value and maximum accessibility to records for the general public;
 3. Establish standards, procedures and techniques for the effective management of records;

4. Make continuing surveys of current practices for the management of records and recommend improvements in those practices, including the use of space, equipment and supplies to create, maintain and store records;
5. Establish standards for the preparation of schedules providing for the retention and disposition of records;
6. Establish, maintain and operate a records center (the "records center") for storing and receiving records of the several city offices pending their disposition in a manner prescribed by law;
7. Establish a unit to provide analog and digital reformatting services to the several offices of the city;
8. Establish a program for the management of forms and files;
9. Establish a program for the protection of records essential for the continuation or reestablishment of governmental operations in the event of natural or other disaster; and
10. Establish a program for the preservation and conservation of records designated by the state or the division as having a permanent retention value.

11. Manage all requests for access to or copies of City of Henderson public records.

- C. The division may employ separately or cooperatively with another local governmental entity an archives and records manager to carry out the duties of the division.

2.47.085 - Citywide fee schedule for public records and document services.

- A. The records committee shall approve and update a citywide fee schedule for public records and document services applicable to all city departments and divisions of the city in compliance with state and federal law and the policy goals of the city.
- B. The citywide fee schedule for public records and document services shall provide for a mechanism whereby city officials may waive some or all of a fee to provide copies of public records.
- C. The citywide fee schedule for public records and document services may establish fees for the actual cost of providing a copy of the record or document pursuant to NRS 239.052, including, without limitation, a fee for personnel time **[if the public records request will require more than ten hours of city personnel time]** to search for, compile, segregate, redact, remove, scan and/or reproduce records responsive to the records request.
- D. The citywide fee schedule for public records and document services shall be posted on the city website and in all other locations required by NRS chapter 239.

Editor's Note: Pursuant to City Charter Section 2.090(3), language to be omitted is red and enclosed in **[brackets]**, and language proposed to be added is in *blue italics and underlined*.

PASSED, ADOPTED, AND APPROVED THIS 16th DAY OF APRIL, 2024.

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

The above and foregoing Ordinance was first proposed and read in title to the City Council on April 2, 2024, which was a Regular Meeting, and referred to a Committee of the following Councilmen:

“COUNCIL AS A WHOLE”

Thereafter on April 16, 2024, said Committee reported favorably on the Ordinance and forwarded it to the Regular Meeting with a do-pass recommendation. At the Regular Meeting of the Henderson City Council held April 16, 2024, the Ordinance was read in title and adopted by the following roll call vote:

Those voting aye:

Michelle Romero, Mayor
Councilmembers:
Carrie Cox
Jim Seebock
Dan H. Stewart
Dan K. Shaw

Those voting nay: None
Those abstaining: None
Those absent: None

Michelle Romero, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

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