

ARTICLE V. RECORDS AND INFORMATION MANAGEMENT¹

Sec. 2-259. Custodian of records and documents.

The city secretary is the legal custodian of all records of the city and shall be responsible for their safekeeping.

(Ord. No. 2022-09, § 9, 4-12-2022)

Sec. 2-260. Public information requests.

- (a) The city secretary shall administer a city-wide public information request program that is consistent with the requirements of the Texas Public Information Act. The only methods which are permissible for submission of public information requests to the City of League City are:

- (1) Hand delivery. Must be hand-delivered to the city secretary, or their designee, for receipt of public information requests. The designated person shall be the city secretary, or their designee;
- (2) United States mail. Must be addressed to the city secretary, or their designee, for receipt of public information requests, either by their proper name or position title. The designated mailing address for public information requests shall be 300 W. Walker St., League City, Texas 77573. Items addressed generally to the "City of League City" or to a "records custodian" does not qualify as a proper request submitted under the Texas Public Information Act;
- (3) Electronic mail. Must be sent to the designated email address of the City of League City for receipt of public information requests. The designated electronic mail address for public information requests shall be PIR@leaguecitytx.gov; or
- (4) Electronic submission via City website. The designated webpage for electronic requests for public information submitted to the city shall be City of League City Request Portal located at <https://leaguecitytx.justfoia.com/publicportal/home/newrequest>.

- (b) The city secretary shall consult with the city attorney, or his or her designee, regarding requested information that may contain privileged, confidential, or exempted information.

(Ord. No. 2022-09, § 10, 4-12-2022)

Sec. 2-261. City records described; scope of article.

All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the city or any of its officers or employees pursuant to law or in the transaction of public business, are hereby

¹Editor's note(s)—Ord. No. 2022-09, § 9, adopted April 12, 2022, amended Art. V and in doing so changed the title of said article from "Records Management" to "Records and Information Management," as set out herein.

declared to be the records of the city and shall be created, maintained and disposed of in accordance with the provisions of this article or procedures authorized by it and in no other manner.

(Code 1968, § 2-101; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

Sec. 2-262. Reserved. Definitions.

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Department head* means the officer who, by ordinance, order or administrative policy, is in charge of a department, directorate or office that of the city that creates or receives local government records, as that term is defined by V.T.C.A., Government Code § 441.151, as amended.~~

~~*Essential record* means any record of the city necessary to the resumption or continuation of operations of the city in an emergency or disaster, to the re-creation of the legal and financial status of the city, or to the protection and fulfillment of obligations to the people of the state.~~

~~*Permanent record* means any record of the city for which the retention period on a records retention schedule is given as permanent.~~

~~*Records liaison officers* means the persons designated under section 2-270.~~

~~*Records management* means the application of management techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports and correspondence, and the management of micrographics and electronic and other records storage systems.~~

~~*Records management committee* means the committee established by section 2-266.~~

~~*Records management officer* means the person designated in section 2-265.~~

~~*Records management plan* means the plan developed under section 2-267.~~

~~*Records retention schedule* means a document issued by the Texas State Library and Archives Commission under the authority of V.T.C.A., Government Code § 441.158, as amended, establishing minimum mandatory retention periods for local government records.~~

~~*Retention period* means the minimum time that must pass after the creation, recording or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.~~

~~(Code 1968, § 2-102; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)~~

~~Cross reference(s) — Definitions generally, § 1-2.~~

Sec. 2-263. City records declared public property.

All city records as defined in section 2-261 are hereby declared to be property of the city. No city official or employee has, by virtue of his or her position, any personal or property right to such records even though he may have developed or compiled them. The unauthorized destruction, removal from files or use of such records is prohibited.

(Code 1968, § 2-103; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

State law reference(s)—Similar provisions, V.T.C.A., Local Government Code § 201.005.

Sec. 2-264. General policy.

It is hereby declared to be the policy of the city to provide for efficient, economical and effective controls over the creation, distribution, organization, maintenance, use and disposition of all city records through a comprehensive system of integrated procedures of the management of records from their creation to their ultimate disposition, consistent with the requirements of the Texas Local Government Records Act (V.T.C.A., Local Government Code § 201.001, et seq., as amended) and accepted records management practice.

(Code 1968, § 2-104; Ord. No. 85-47, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

Sec. 2-265. Designation of records management officer.

The city secretary and the successive holders of such office, or ~~his~~ their designee, shall serve as the records management officer for the city and shall develop policies and procedures to ensure that the maintenance, preservation, security, destruction, electronic storage, and other disposition of the records of this office are carried out in accordance with the requirements of the Texas Local Government Records Act (V.T.C.A., Local Government Code § 201.001, et seq., as amended). As provided by state law, each successive holder of the office shall file his or her name, or his designee's name, with the director and librarian of the Texas State Library and Archives Commission within 30 days of the initial designation or of taking up the office, as applicable.

(Code 1968, § 2-105; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999; Ord. No. 2008-15, § 2, 4-22-2008; Ord. No. 2010-25, § 2, 8-10-2010; Ord. No. 2022-09, § 11, 4-12-2022)

State law reference(s)—Similar provisions, V.T.C.A., Local Government Code § 203.025.

Sec. 2-266. ~~Reserved.~~ Records control schedules.

The records retention and disposition schedules issued, and as amended, by the Texas State Library and Archives Commission shall be adopted by the records management officer for use in the city, as provided by law. The records management officer shall prepare amendments to the schedules, as needed, to reflect new records created or received by this office, or revision to retention periods established in a records retention schedule issued by the commission. Any destruction of records of the city will be in accordance with these schedules and the Texas Local Government Records Act (V.T.C.A., Local Government Code § 201.001, et seq., as amended).

Editor's note(s)—Ord. No. 2022-09, § 12, adopted April 12, 2022, repealed § 2-266, which pertained to records management committee and derived from Code 1968, § 2-106; Ord. No. 90-35, § 1, adopted May 24, 1990; and Ord. No. 99-15, § 2, adopted Feb. 9, 1999.

~~Sec. 2-267. Records management plan.~~

- ~~(a) The records management officer and the records management committee shall develop a records management plan for the city for submission to the city council. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of recordkeeping, to adequately protect the essential records of the city, and to properly preserve those records of the city that are of historical value. The plan must be designed to enable the records management officer to carry out his duties prescribed by state law and this article effectively.~~
- ~~(b) Once approved by the city council, the records management plan shall be binding on all officers, departments, divisions, programs, commissions, bureaus, boards, committees or similar entities of the city, and records shall be created, maintained, stored and microfilmed in accordance with the plan.~~

~~(c) State law relating to the duties, other responsibilities or recordkeeping requirements of a department head do not exempt the department head or the records in the department head's care from the application of this article, and the records management plan adopted under it may not be used by the department head as a basis for refusal to participate in the records management program of the city.~~

~~(Code 1968, § 2-107; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)~~

~~Sec. 2-268. Duties of records management officer.~~

~~In addition to other duties assigned in this article, the records management officer shall:~~

- ~~(1) Administer the records management program and provide assistance to department heads in its implementation;~~
- ~~(2) With the assistance of the records management committee, plan, formulate and prescribe records disposition policies, systems, standards and procedures;~~
- ~~(3) In cooperation with department heads, records liaison officers, and emergency management coordinator, identify essential records and establish a disaster plan for each city office and department to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense;~~
- ~~(4) With the assistance of the records management committee, develop procedures to ensure the permanent preservation of the historically valuable records of the city;~~
- ~~(5) Facilities maintenance and records liaison officers will establish standards for filing and storage equipment and for recordkeeping supplies;~~
- ~~(6) With the assistance of the records management committee, study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the city;~~
- ~~(7) Provide records management advice and assistance to all city departments by preparation of a manual of procedure and policy;~~
- ~~(8) Monitor records retention schedules and administrative rules issued by the state library and archives commission to determine if the records management program and the city's records control schedules are in compliance with state regulations;~~
- ~~(9) As needed, disseminate to the city council and department heads information concerning state laws and administrative rules relating to local government records;~~
- ~~(10) Instruct records liaison officers and other personnel in policies and procedures of the records management plan and their duties in the records management plan;~~
- ~~(11) Instruct records liaison officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and this article;~~
- ~~(12) Ensure that the maintenance, preservation, microfilming, destruction or other disposition of city records is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;~~
- ~~(13) The city secretary's office shall maintain records on the volume of records destroyed under approved records control schedules, the volume of records microfilmed or stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;~~
- ~~(14) Report annually to the city council on the implementation of the records management plan in each department of the city, including summaries of the statistical and fiscal data compiled under subsection (13) of this section; and~~

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- ~~(15) Bring to the attention of the city manager and department heads any noncompliance by department heads or other city personnel with the policies and procedures of the records management program or the Local Government Records Act (V.T.C.A., Local Government Code § 201.001 et seq.).~~

~~(Code 1968, § 2-108; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999; Ord. No. 2010-25, § 2, 8-10-2010)~~

~~Sec. 2-269. Duties of department heads.~~

~~In addition to other duties assigned in this article, department heads shall:~~

- ~~(1) Cooperate with the records management officer in carrying out the policies and procedures established in the city for the efficient and economical management of records and in carrying out the requirements of this article;~~
- ~~(2) Adequately document the transaction of government business and the services, programs and duties for which the department head and his staff are responsible; and~~
- ~~(3) Maintain the records in his care and carry out their preservation, microfilming, 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.~~

~~(Code 1968, § 2-109; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)~~

~~State law reference(s)—Similar provisions, V.T.C.A., Local Government Code § 203.022.~~

~~Sec. 2-270. Designation of records liaison officers.~~

~~Each department head shall designate a member of his or her staff to serve as records liaison officer for the implementation of the records management program in the department. Records management officer. Persons designated as records liaison officers shall be thoroughly familiar with all the records created and maintained by the department. In the event of the resignation, retirement, dismissal or removal by action of the department head of a person designated as a records liaison officer, the department head shall promptly designate another person to fill the vacancy. A department head may serve as records liaison officer for his department.~~

~~(Code 1968, § 2-110; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)~~

~~Sec. 2-271. Duties of records liaison officers.~~

~~In addition to other duties assigned in this article, records liaison officers shall:~~

- ~~(1) Conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;~~
- ~~(2) In cooperation with the records management officer, coordinate and implement the policies and procedures of the records management plan in their departments; and~~
- ~~(3) Disseminate information to department staff concerning the records management plan.~~
- ~~(4) Within their department, work and organize records with the records management officer to ensure that the maintenance, preservation, microfilming, destruction or other disposition of city records is carried out in accordance with the policies and procedures of the records management plan and the requirements of state law.~~

(5) In cooperation with department head, the records management officer, and emergency management coordinator, identify essential records and establish a disaster plan for each city office and department to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense.

(6) Facilities maintenance and the records management officer will establish standards for filing and storage equipment and for recordkeeping supplies.

(Code 1968, § 2-111; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

~~Sec. 2-272. Preparation and approval of records control schedules.~~

(a) ~~*Preparation; contents.*~~ The records management officer, in cooperation with department heads and records liaison officers, shall prepare records control schedules on a department-by-department basis listing all records created or received by the department and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of city records as the records management plan may require.

(b) ~~*Monitoring and amendment.*~~ Each records control schedule shall be monitored and amended as needed by the records management officer and the records management committee on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and that it continues to reflect the recordkeeping procedures and needs of the department and the records management program of the city.

(c) ~~*Approval.*~~ Before its adoption, a records control schedule or amended schedule for a department must be approved by the department head and the members of the records management committee.

(Code 1968, § 2-112; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

~~Sec. 2-273. Implementation of records control schedules; destruction of records under schedule.~~

(a) A records control schedule for a department that has been approved and adopted under section 2-272 shall be implemented by department heads and records liaison officer according to the policies and procedures of the records management plan.

(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 desires that the record be retained for an additional period.

(c) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be submitted by the record liaison officer and department head and obtained by the records management officer from the records management committee.

(d) All records will be destroyed in accordance with the approved method by the records management officer. The records liaison officers will be responsible for organizing the destruction of the records within their department. The records management officer will assist in coordinating the destruction between departments.

(Code 1968, § 2-113; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

~~Sec. 2-274. Destruction of records not listed on records control schedule.~~

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the records management officer has submitted to and received back from the director and librarian of the state library an approved destruction authorization request.

(Code 1968, § 2-114; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

~~Sec. 2-275. Records center.~~

A records center, developed pursuant to the plan required by section 2-267, shall be under the direct control and supervision of the records management officer. Policies and procedures regulating the operations and use of the records center shall be contained in the records management plan developed under section 2-267.

(Code 1968, § 2-115; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

~~Sec. 2-276. Micrographics.~~

Unless a micrographics program in a department is specifically exempted by order of the city, all microfilming or electronic storage of records will be centralized unless approved by the records management officer or if there is disagreement between the records management officer and the department on electronic storage microfilming it may be decided by the records management committee. The centralization of the micrographic records will be under the direct supervision of the records management officer. The records management plan will establish policies and procedures for the microfilming of city records, including policies to ensure that all microfilming is done in accordance with standards and procedures for the microfilming of local government records established in rules of the state library and archives commission. The plan will also establish criteria for determining the eligibility of records for microfilming and protocols for ensuring that a microfilming program that is exempted from the centralized operation is, nevertheless, subject to periodic review by the records management officer as to cost effectiveness, administrative efficiency, and compliance with commission rules.

(Code 1968, § 2-116; Ord. No. 90-35, § 1, 5-24-1990; Ord. No. 99-15, § 2, 2-9-1999)

~~Secs. 2-277—2-300. Reserved.~~ Secs. 2-267-2-300. Reserved.