

ORIGINAL ORDINANCE

After this ordinance has been adopted by the City Council, it should be executed by the Mayor and City Secretary, sealed with the City seal and placed in the permanent records of the City.

ORDINANCE NO. 82-6

AN ORDINANCE IS ESTABLISHED FOR THE PURPOSE OF RETENTION, DISPOSITION OF RECORDS; ADOPTING A MANUAL FOR THE RETENTION AND DISPOSITION OF RECORDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREIN; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article 6574c of Vernon's Texas Civil Statutes authorizes cities to establish, by ordinance, procedures for the retention and disposition of records; and

WHEREAS, the City of Newton has a need for improving its procedures for the retention and disposition of its records; and

WHEREAS, the orderly destruction of worthless records, storage of the records required to be kept will help reduce the need for storage space.

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

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That the City of Newton Code of Ordinances is hereby established to read as follows:

Section 2. Records: Retention and Disposition.

a) Definitions:

- 1) Public Record: Any record that is available for public inspection pursuant to Article 6252-17a Vernon Texas Civil Statutes) Open Records Act).**
- 2) Record: any document, book, paper, photograph, sound recording or other material, regardless of physical form or characteristic made or received pursuant to law or ordinance or in connection with the transaction of official business of the city.**

b) Policy Adopted.

There is hereby adopted by the City of Newton, for the purpose of establishing rules and regulations for the retention and disposition of records accumulated by the City, the rules and provisions set out in The Manual of Record Retention and Disposition, hereby approved by the City Council, a true and correct copy of which is to be kept on file with the City Secretary, which manual is hereby incorporated herein by

reference as fully as if set out at length herein, and from the date of the adoption of this section, the provisions of such manual shall be controlling in the retention and disposition of records prepared, received or thereto shall ever affect the validity of the municipal power agency hereby created or any of its rights and privileges or functions, it being affirmatively found and determined that all of the territory comprising the cities and being within the corporate limits of such cities as the effective date of this Ordinance shall comprise the territory with the municipal power agency created hereby; and

- c) Shall be governed by a Board of Directors consisting of (8) eight persons who are qualified electors residing in the boundary of the Agency, who shall serve by places.

Section 2. The initial term of office of the Directors of the Lone Star Municipal Agency and the governing body of the particular entity who may appoint such director to fill each place, shall be as follows:

<u>Place Number</u>	<u>Initial Term Ending</u>	<u>Appointing City</u>
1.	Second Tuesday in March 1984	Caldwell
2.	Second Tuesday in March 1985	Caldwell
3.	Second Tuesday in March 1984	College Station
4.	Second Tuesday in March 1985	College Station
5.	Second Tuesday in March 1984	Kirbyville
6.	Second Tuesday in March 1985	Kirbyville
7.	Second Tuesday in March 1984	Newton
8.	Second Tuesday in March 1985	Newton

Successors in office (for each place) shall be appointed by the governing body of the public entity appointing the initial director for such place for a term of two years. Vacancies in office in each place shall be filled for the unexpired term by the governing body of the public entity which is originally filled such position.

Section 3. In accordance with section 4a of said Article 1435a the right is reserved by this governing body to join with other public entities specified in Section 2 hereof to provide for the re-creation of such power agency by the addition and deletion, either or both, of a public entity so long as there is no impairment of obligation of any existing obligation of the Agency.

Section 4. The recitals contained in the preamble of this Ordinance are found to be true and are adopted as findings of fact by this City Council.

Section 5. The City Council officially finds, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City

Hall of the City for the time required by law preceding this meeting and that such place of posting was readily accessible to the general public at all times from the time of posting of such notice to the scheduled time of commencement of this meeting; that all of the foregoing was done as required by the Open Meetings law, Article 6252-17, Vernon's Texas Civil Statutes, as amended and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted. Upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof. The City Council further officially finds and determines that a case of emergency and urgent public necessity exists which requires holding this meeting at which this Ordinance is passed and approved, such emergency and urgent public necessity needing the public importance of creating a municipal power agency at the earliest possible date and the need to adopt concurrent ordinances on the same date as the other cities and that such emergency and urgent public necessity requires the consideration of such subject even if such notice has not been posted for at least 72 hours.