

CITY OF STARBASE, TEXAS

ORDINANCE NO. 2025-05-30-FOS-OR

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS, ESTABLISHING A RECORDS RETENTION POLICY; APPOINTING A RECORDS MANAGEMENT OFFICER; ADOPTING A RECORDS MANAGEMENT PLAN; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on May 20, 2025, the County Judge of Cameron County, Texas, caused to be entered into the minutes of the Cameron County Commissioners' Court the result of the election approving the incorporation of the City of Starbase, Texas ("City"), as a Type C municipality; and

WHEREAS, the Texas Local Government Records Act (Title 6, Subtitle C, Local Government Code), provides that each local government must establish an active and continuing records management program; and the City desires to adopt this Ordinance as the plan to prescribe policies and procedures consistent with the Local Government Records Act, the Public Information Act, and in the interests of cost-effective and efficient recordkeeping.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

SECTION 1. Incorporation of Premises. The premises set forth above are incorporated herein as if set forth verbatim.

SECTION 2. Definition of City Records. 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 declared to be the records of the City and shall be created, maintained, and disposed of in accordance with the provisions of state law, this Ordinance or procedures authorized by it and in no other manner. Because the City was not in existence until May 20, 2025, only records created on or after May 20, 2025, may be considered City records.

SECTION 2. Records Declared Public Property. All records as defined in Section 1 of this Ordinance are declared to be the property of the City. No official or employee of the City has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. Unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 3. Policy. It is 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 records of this office through a comprehensive system of integrated procedures

for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice. This policy shall apply to all employees, agents, independent contractors, and volunteers of the City.

SECTION 4. Records Management Officer. The City Clerk will serve as Records Management Officer for the City as provided by law and will 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 Local Government Records Act. As provided by state law, each successive holder of the position shall file his or her name with the director and librarian of the Texas State Library and Archives Commission within thirty (30) days of the initial designation or of taking up such position, as applicable.

SECTION 5. Records Control Schedules. Appropriate records control schedules issued by the Texas State Library and Archives Commission shall be adopted by the Records Management Officer for use in 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 revisions 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 Local Government Records Act.

SECTION 3. Severability. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall 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 and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4. Repealer. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Starbase affecting records retention, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

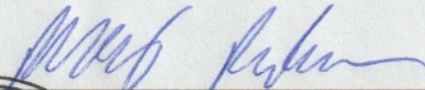
SECTION 5. Engrossment/Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by reflecting the passage of this Ordinance in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

SECTION 6. Effective Date. This Ordinance shall become effective upon its passage.

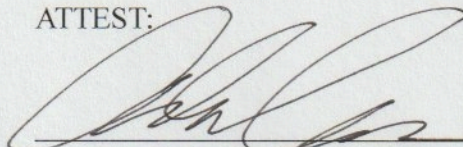
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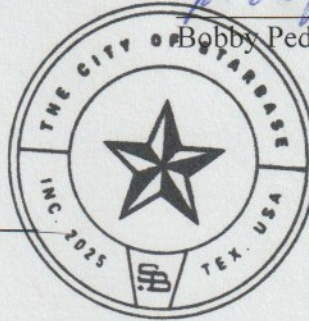
PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF
STARBASE, TEXAS on this 30th day of May 2025.

CITY OF STARBASE, TEXAS

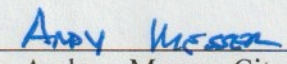

Bobby Peden, Mayor

ATTEST:


Caroline Cole, City Clerk



APPROVED AS TO FORM:


Wm. Andrew Messer, City Attorney