

**RESOLUTION NO. \_R-2023-18**

**A RESOLUTION OF THE CITY OF LLANO, TEXAS, ADOPTING A RECORDS MANAGEMENT POLICY; IMPLEMENTING A POLICY; PROVIDING STAFF DIRECTION; PROVIDING CLARIFICATION OF RECORDS MANAGEMENT GUIDELINES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 552 of the Texas Government Code provides the statutory procedures associated with the release of public information, provides for exceptions to the mandatory disclosure of certain information held by governmental entities, authorizes imposition of bonds and the collection of costs; and

**WHEREAS**, the City Council of Llano, Texas ("City Council") has determined that it is in the best interests of the City of Llano ("City") to ensure uniformity in the application, by establishing a Records Management Policy; and

**WHEREAS**, the Texas Legislature has recently enacted new statutes and amended existing statutes which require revision of the City's existing public information policies;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LLANO, TEXAS:**

**Section 1. Policy Adopted.**

The City Council hereby adopts this Records Management Policy, attached hereto as incorporated herein for all purposes.

**Section 2. Revocation of Conflicting Policies.**

Any and all conflicting resolutions adopted by the City, and any policy statements, policies, procedures, administrative approvals, or other acts which conflict with the policies adopted are hereby repealed, rescinded, revoked, nullified, and/or voided with respect to this purchasing policy of this resolution. This includes, but is not limited to, any act of the City (including but not limited to staff) which would expand the approval.

**Section 3. Staff Direction.**

City staff members are authorized and directed to make changes to the City of Llano's internet website(s) and other public notices (e.g., signage/posters) to accurately reflect the policies adopted herein.

**Section 4. Savings and Severability.**

It is the intent of the City Council that should any section, paragraph, sentence, subdivision, clause, phrase, or provision of this Resolution or the attached Policy be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Resolution or the attached Policy as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this Resolution or the attached Policy. Any such invalid provision shall be severed from this Resolution, and/or the attached Policy as if the remainder had been passed by the City Council without the severed provision ever appearing therein.

**Section 5. Approval.**

This Resolution is approved, during the open session of a regularly scheduled meeting of the City Council of the City of Llano, duly noticed consistent with the Open Meetings Act, by a majority affirmative vote of the governing body of the city.

**Section 6. Effective Date.**

This Resolution shall take effect on March 20, 2023.

PASSED, APPROVED, AND ADOPTED this 20<sup>th</sup> day of March 2023.

**CITY OF LLANO, TEXAS**

  
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Kelli Tudyk, Mayor

**ATTEST:**

  
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Kim Wagner, TMRS, City Secretary

# City of Llano

## RECORDS MANAGEMENT POLICY

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 of Llano desires to adopt a plan to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping; now therefore:

**SECTION 1. DEFINITION OF RECORDS OF THE City of Llano.** 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 of Llano 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 of Llano and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance or procedures authorized by it and in no other manner.

**SECTION 2. RECORDS DECLARED PUBLIC PROPERTY.** All records as defined in Sec. 1 of this plan are declared to be the property of the City of Llano. No official or employee of the City of Llano 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. The 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 of Llano 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 of Llano.

**SECTION 4. RECORDS MANAGEMENT OFFICER.** The City Secretary will serve as Records Management Officer for the City of Llano 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.

**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 of Llano, 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 of Llano will be in accordance with these schedules and the Local Government Records Act.

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**Kim Wagner, City Secretary**

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**Kelli Tudyk, Mayor**