

**Sec. 1-1, Consolidation of Marshal, Fire Marshal, and Secretary-Manager**

The offices and positions of Marshal and Fire Marshal are hereby consolidated with that of Secretary-Manager and that all duties, authority and responsibilities of said positions shall be vested with the incumbent of the position of Secretary-Manager.

(Ord. 493, 7-10-78)

**Sec. 1-2, Municipal Court Divisions**

1. As provided by Article 1200e, Revised Civil Statutes of Texas, the Municipal Court of the City is hereby divided into seven divisions, to be known as Divisions A, B, C, D, E, F and G.

2. Said Municipal Court shall be presided over by a Presiding Judge who shall also be the Judge of Division A, and each of the other six divisions shall be presided over by an Associate Judge.

3. To be eligible for appointment as Judge or Associate Judge a Division shall be a resident of the City and a qualified elector.

4. Each Associate Judge shall be a magistrate with the same powers as those conferred upon the Presiding Judge. Each division of the Court shall have and exercise concurrent Jurisdiction with the other divisions of the Court within the corporate limits of the City. Such jurisdiction shall be the same as is now or hereafter may be conferred upon all Municipal Courts by the general laws of this State. All divisions shall be in concurrent and continuous session, either day or night.

5. Said Municipal Court, its divisions and the judges thereof may transfer cases from one division to another, and any judge or any of such divisions may exchange benches and preside over any of the divisions of the Court.

6. There shall be a Clerk of the Municipal Court of Terrell Hills who shall have all the power and authority and obligation provided by law and shall have authority to receive and file complaints and to administer oaths in connection with the same. The City Council may from time to time appoint deputy clerks who shall have the same powers as herein provided for the Clerk of the Court.

7. The Clerk of the Court shall cause the number of cases set for trial before each division to be approximately the same, but in the event of any inequality in this regard, such inequality shall have no effect upon the validity of the proceedings.

8. The procedure in the Court shall be provided in Section 45 of the Code of Criminal Procedure governing procedure in Municipal Courts generally.

This ordinance shall become effective on the 1st day of June, 1978, and all ordinances in conflict herewith are hereby repealed effective June 1, 1978.

(Ord. 486, 5-1-78)

**Sec. 1-3, Part time, non-salaried Police Officers**

1. That the Police Department is authorized to employ up to five part-time, non-salaried police officers.

2. That the part-time, non-salaried police officers shall be appointed and commissioned as police officers.

3. That part-time, non-salaried police officers shall meet the same entrance requirements as full-time, salaried police officers.

(Ord. 1121, 10-14-02)

**Sec. 1-5, Repayment of Legal Fees**

1. In the event any suit is filed in any Court against an officer or employee of the City of Terrell Hills based upon acts performed within the scope of his or her official duties, the defendant in said suit shall give notice thereof to the Secretary-Manager in writing and shall furnish such additional information as the Secretary-Manager may request.

2. In the event the Plaintiff in said suit seeks damages or other relief against the defendant officer or employee in his official capacity, the Council will authorize either the City Attorney or other counsel selected by the Council to actively defend such suit. In such case the City shall pay the reasonable legal fees, Court costs and other reasonable expenses necessarily incurred in conducting such defense.

3. In the event the Plaintiff in said suit seeks relief against the City officer or employee only in his or her individual capacity, the Secretary-Manager shall investigate the charges alleged in the pleading and shall report his findings to the Council. In such event the Council may, but shall not be required to, authorize payment of fees, expenses and Court costs reasonably necessary to defend such suit.

4. In any such case no obligation upon the part of the City shall arise hereunder unless and until an ordinance authorizing payment of such legal fees and expenses has been duly passed and approved by the Council.

(Ord. 502, 10-10-78)

**Sec. 1-6, Legal Fee Reimbursement for Councilmembers, City Manager and Other Officers, and Employees**

SECTION 1. Recognizing that costs of defending suits for damages for acts committed in the

proper discharge of the duties of officers and employees of the City may often prove burdensome, and restrict diligent efforts to carry out public responsibilities, it is hereby declared to be the policy of the City of Terrell Hills to furnish and pay for legal services for the Mayor, all Council Members, and the City Manager of the City when sued or threatened with suit or other litigation as a result of the proper discharge of their duties as public servants; and to pay any damages, costs and awards resulting therefrom.

SECTION 2. The furnishing and payment for such services and damages for other officers and employees of the City shall be completely discretionary on the part of the City Council, and the Council's decision as to whether or not such services shall be furnished or paid for by the City and whether or not the actions or activities which are the subject matter of the litigation or threatened litigation are acts performed by the persons involved in pursuit of their official duties for the City, shall be final.

(Ord. 624, 3-8-82)

### **Sec. 1-10, Benefits in Texas Municipal Retirement System**

Section 1. The City Council of the City of Terrell Hills, Texas, on behalf of said City hereby exercises its option and elects to have the City and all of the employees of all departments now existing and those hereafter created participate in the Texas Municipal Retirement System as provided in the TMRS Act, and all of the benefits and obligations of such System are hereby accepted as to such employees.

Section 2. The City Manager is hereby directed to notify the Board of Trustees of the Texas Municipal Retirement System that the City of Terrell Hills, Texas, has elected to participate and have the employees of the city covered in said System.

Section 3. Each person who becomes an employee of any participating department on or after the effective date of participation of such department shall become a member of the Texas Municipal Retirement System as a condition of his employment.

Section 4. In accordance with the provisions of the Statute, the deposits to be made to the Texas Municipal Retirement System on account of current service of the employees of the several participating departments are hereby fixed at the rate of three percent (3 %) of the full earnings of each employee of said departments.

Section 5. Each employee who qualifies for such credit shall be allowed "Prior Service Credit" (as defined in Subsection 6(b) of Section VI of the TMRS Act) at the rate of one hundred percent (100 %) of the "Base Prior Service Credit of such member, calculated in the manner prescribed in said Act.

Section 6. For each month of Current Service rendered to this City by each of its employees who

are members of Texas Municipal Retirement System, the City will contribute to the current service annuity reserve of each such member at the time of his retirement, a sum that is 100% of such member's accumulated deposits for such month of employment; and said sum shall be contributed from the City's account in the Municipality Current Service Accumulation Fund.

Section 7. The City Manager is hereby directed to remit to the Board of Trustees of the Texas Municipal Retirement System, at its office in Austin, Texas, the city's contributions to the System and the amounts which shall be deducted from the compensation or payroll of employees, all as required by said Board under the provisions of the TMRS Act, and the said official is hereby authorized and directed to ascertain and certify officially on behalf of the City of Terrell Hills, Texas, the prior service rendered to the said municipality by each of the employees of the participating departments and the average prior service compensation received by each, and to make and execute all prior service certifications and all other reports and certifications which may be required of the City of Terrell Hills, Texas, under the provisions of the TMRS Act, or in compliance with the rules and regulations of the Board of Trustees of the Texas Municipal Retirement System.

Section 8. Participation of the above mentioned employees in the Texas Municipal Retirement System shall become effective on January 1, 1981.  
(Ord. 578, 12-8-80)

### **Sec. 1-11, Supplemental Benefits in Texas Municipal Retirement System**

Section 1. The City of Terrell Hills, Texas, by its City Council hereby elects to have the employees of all participating departments of said city (as above defined) participate in and be covered by the Supplemental Benefits Fund of the Texas Municipal Retirement System, as provided by Chapter 312, Acts Regular Session, 56th Legislature; and all the benefits and obligations of participation in said Fund are hereby accepted by the city as to such employees.

Section 2. The City Manager is hereby directed to notify the Board of Trustees of the Texas Municipal Retirement System that the City of Terrell Hills, Texas, has elected to participate and have the employees of the above mentioned departments participate in the Supplemental Benefits Fund of said System.

Section 3. Each person who becomes an employee of any participating department on or after the effective date of participation of such department in said Fund shall as a condition of his employment be covered into the Supplemental Benefits Fund of said System. The City of Terrell Hills, Texas, may in the future refuse to add new departments or new employees to said Fund, but shall never discontinue as to any members who are covered into the Fund.

Section 4. The City Manager is hereby directed to remit monthly to the Board of Trustees of the Texas Municipal Retirement System at its office in Austin, Texas as the City's contributions to the Supplemental Benefits Fund of the Texas Municipal Retirement System, such percentage of earnings

of the above-mentioned employees of said city as may be fixed by the Board of Trustees of the Texas Municipal Retirement System, provided that the rate of contribution to said Fund shall not exceed one-half of one percentum (1/2%) of the earnings of the employees of said city who are covered under said Fund; and such official shall make for the City such reports as the Board of Trustees of the Texas Municipal Retirement System may prescribe.

Section 5. Participation of the above mentioned employees the Supplemental Benefits Fund shall be effective January 1, 1981.  
(Ord. 579, 12-8-80)

### **Sec. 1-12, Supplemental Death Benefits Fund in Texas Municipal Retirement System**

Section 1. That the City of Terrell Hills hereby elects to participate in the Supplemental Death Benefits Fund of the Texas Municipal Retirement System beginning on the first day of the calendar month following written notification to the System of the adoption of this ordinance, for the purpose of providing in-service death benefits in the amounts and on the terms provided for in Section XIX of the TMRS Act (Article 6243h, Vernon's Texas Civil Statutes, as amended) for each of the City's employees who are members of said System, and for the purpose of providing post-retirement death benefits as provided in said Section XIX for annuitants whose last covered employment was as an employee of this City.

Section 2. The City of Terrell Hills is hereby authorized and directed to notify the Director of the System of adoption of this ordinance, and of the participation of the City in said Fund.

Section 3. Participation of the above mentioned employees and annuitants in the Supplemental Death Benefits Fund shall be effective on January 1, 1981.  
(Ord. 580, 12-8-80)

### **Sec. 1-13, Updated Service Credits**

#### Section 1. Authorization of Updated Service Credits.

a. On the terms and conditions set out in Sections 853.401 through 853.404 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS ACT"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who has current service credit or prior service credit in the System in force and effect on the 1st day of January of the calendar year preceding such allowance, by reason of service in the employment of the City, and on such date had at least 36 months of credited service with the System, shall be and is hereby allowed "Updated Service Credit" (as that term is defined in subsection (d) of Section 853.402 of the TMRS Act).

b. On the terms and conditions set out in Section 853.601 of the TMRS Act, any member of the System who is eligible for Updated Service Credits on the basis of service with this City, who has

unforfeited credit for prior service and/or current service with another participating municipality or municipalities by reason of previous service, and was a contributing member on the 1<sup>st</sup> day of January of the calendar year preceding such allowance, shall be credited with Updated Service Credits pursuant to, calculated in accordance with, and subject to adjustment as set forth in said Section 853.601, both as to the initial grant hereunder and all future grants under this ordinance.

c. The Updated Service Credit hereby allowed and provided for shall be **100%** of the “base Updated Service Credit” of the member (calculated as provided in subsection (c) of Section 853.402 of the TMRS Act).

d. Each Updated Service Credit allowed hereunder shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

e. In accordance with the provisions of subsection (d) of Section 853.401 of the TMRS Act, the deposits required to be made to the System by employees of the several participating departments on account of current service shall be calculated from and after the effective date of this ordinance on the full amount of such person's compensation as an employee of the City.

Section 2. Increase in Retirement Annuities.

a. On terms and conditions set out in Section 854.203 of the TMRS Act, the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of the City under current service annuities and prior service annuities arising from service by such employees to the City. An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.

b. The amount of annuity increase under this Section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by **70%** of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of this Section.

c. An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

d. If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereunder.

e. The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of the City and of its account in the municipality accumulation fund of the System.

Section 3. Dates of Allowances and Increases. The initial allowance of Updated Service Credit and increase in retirement annuities hereunder shall be effective on January 1, 1999, subject to approval by the Board of Trustees of the System. An allowance of Updated Service Credits and an increase in retirement annuities shall be made hereunder on January 1 of each subsequent year until this ordinance ceases to be in effect under subsection (e) of Section 853.404 of the TMRS Act, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in subsection (d) of Section 853.404 of the TMRS Act.

BE IT FURTHER ORDAINED:

Section 1. That all employees of the City who are members of the Texas Municipal Retirement System, shall make deposits to the System at the rate of 6% of their individual earnings.

Section 2. Effective Date. Subject to approval by the Board of Trustees of the System, this ordinance shall be and become effective on the 1st day of January, 1999.  
(Ord. 752, 841, 891 superseded by Ord. 1020, 12-7-98)

**Sec. 1-14, Additional Rights, Credits, and Benefits**

Section 1. Pursuant to the provisions of Sections 64.202(f), 64.204, 64.405, 64.406, and 64.410 of Subtitle G of Title 110B, Revised Civil Statutes of Texas, 1925, as amended by the 70th legislature of the State of Texas, Regular Session, which Subtitle shall herein be referred to as the "TMRS Act," the City of Terrell Hills, Texas, adopts the following provisions affecting participation of its employees in the Texas Municipal Retirement System (which retirement system shall herein be referred to as the "System"):

a. Any employee of this City who is a member of the System is eligible to retire and receive a service retirement annuity, if the member has at least 25 years of credited service in that System performed for one or more municipalities that have participation dates after September 1, 1987, or have adopted a like provision under Section 64.202(f) of the TMRS Act.

b. If a "vested member," as that term is defined in Section 64.204(b) of the TMRS Act, shall die before becoming eligible for service retirement and leaves surviving a lawful spouse whom the member has designated as beneficiary entitled to payment of the member's accumulated contributions in event of the member's death before retirement, the surviving spouse may by written notice filed with the System elect to leave the accumulated deposits on deposit with the System subject to the terms and conditions of said Section 64.204(b). If the accumulated deposits have not been withdrawn before such time as the member, if living, would have become entitled to service retirement, the surviving spouse may elect to receive, in lieu of the accumulated deposits, an annuity payable monthly thereafter during the lifetime of the surviving spouse in such amount as would have been payable had the member lived and retired at that date under a joint and survivor annuity (Option 1) payable during the lifetime of the member and continuing thereafter during the lifetime of the

surviving spouse.

c. At any time before payment of the first monthly benefit of an annuity, a surviving spouse to whom subsection (b) applies may, upon written application filed with the System, receive payment of the accumulated contributions standing to the account of the member in lieu of any benefits otherwise payable under this section. In the event such a surviving spouse shall die before payment of the first monthly benefit of an annuity allowed under this section, the accumulated contributions credited to the account of the member shall be paid to the estate of such spouse.

d. The rights, credits and benefits hereinabove authorized shall be in addition to the plan provisions heretofore adopted and in force at the effective date of this ordinance pursuant to the TMRS Act.

e. Any employee of this City who is a member of the System is eligible to retire and receive a "standard occupational disability annuity" under Section 64.408 of the TMRS Act or an "optional occupational disability retirement annuity" under Section 64.410 of the TMRS Act upon making application therefor upon such form and in such manner as may be prescribed by the Board of Trustees of the System, provided that the System's medical board has certified to said Board of Trustees: (1) that the member is physically or mentally disabled for further performance of the duties of the member's employment; (2) that the disability is likely to be permanent; and (3) that the member should be retired. Any annuity granted under this subsection shall be subject to the provisions of Section 64.409 of the TMRS Act.

f. The provisions relating to the occupational disability program as set forth in section (e) above are in lieu of the disability program heretofore provided for under Sections 64.301 to 64.308 of the TMRS Act.

Section 2. This ordinance shall become effective on the first day of January, 1988, provided that it has previously been determined by the Actuary for the System that all obligations of the City to the municipality accumulation fund, including obligations hereby undertaken, can be funded by the City within its maximum contribution rate and within its amortization period.  
(Ord. 753, 12-14-87)

**Sec. 1-15, Authorization of Restricted Prior Service Credit**

(a) On the terms and conditions set out in Sections 853.305 of Subtitle G of Title 8, Texas Government Code, as amended (hereinafter referred to as the "TMRS Act"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who is now or who hereafter becomes an employee of this City shall receive restricted prior service credit for service previously performed as an employee of any of the entities described in said Section 853.305 provided that (1) the person does not otherwise have credited service in the System for that service, and (2) the service meets the requirements of said Section 853.305.

(b) The service credit hereby granted may be used only to satisfy length-of-service requirements for retirement eligibility, has no monetary value in computing the annuity payments allowable to the member, and may not be used in other computations, including computation of Updated Service Credits.

(c) A member seeking to establish restricted prior service credit under this ordinance must take the action required under said Section 853.305 while still an employee of this City.

This ordinance shall become effective the first day of August, 1997.  
(Ord. 977, 7-14-97)

**Sec. 1-16 through 1-19 reserved for future additions**

**Sec. 1-20, Public Assisted Housing**

1. The City of Terrell Hills, Texas hereby notifies Bexar County, Texas, that it elects to include itself in the urban county in connection with the Bexar County Community Development Block Grant in accordance with the revised form of agreement and the resolution attached thereto, and the Mayor and City Secretary are hereby authorized and directed to execute the said cooperation agreement attached hereto.

2. The City hereby declares "unacceptable" for all purposes all publicly assisted housing activities within the City in accordance with paragraph VI of said agreement.

3. This ordinance shall take effect immediately upon its passage and approval.  
(Ord. 615, 12-8-81)

**Sec. 1-30, Fees for Copies of Open Records**

A fee of \$5.00 will be Charged for a copy of a City Ordinance. Copies of other publications, police or fire reports, or other open records maintained by the City will cost \$1.00 per page for 1st 3 pages - 10¢ per page thereafter.  
(Ord. 779 § 2, 11-14-88)

**Sec. 1-31, Records Management**

SECTION 1. DEFINITION OF MUNICIPALITY 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 of Terrell Hills or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the City of Terrell Hills and shall be create,

maintained, and disposed of in accordance with the provisions of this Ordinance or procedures authorized by it and in no other manner.

SECTION 2. ADDITIONAL DEFINITIONS.

1. "Department head" means the officer who by ordinance is in charge of an office of the City Of Terrell Hills that creates or receives records.

2. "Essential record" means any record of the City of Terrell Hills necessary to the resumption or continuation of Operations of the City of Terrell Hills in an emergency or disaster, to the re-creation of the legal and financial status of the City of Terrell Hills, or to the protection and fulfillment of obligations to the people of the state.

3. "Permanent record" means any record of the City of Terrell Hills for which the retention period on a records control schedule is given as permanent.

4. "Records control schedule" means a document prepared by or under the authority of the Records Management Officer listing the records maintained by the City of Terrell Hills, their retention periods, and other records disposition information that the records management program may require.

5. "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 record keeping. 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 micrographic and electronic and other records storage systems.

6. "Records liaison officers" mean the persons designated under Section 10 of this Ordinance.

7. "Records management committee" means the committee established in Section 6 of this Ordinance.

8. "Records management officer" means the person designated in Section 5 of this Ordinance.

9. "Records management plan" means the plan developed under Section 7 of this Ordinance.

10. "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.

SECTION 3. MUNICIPAL RECORDS DECLARED PUBLIC PROPERTY. All municipal records as defined in Sec. 1 of this ordinance are hereby declared to be the property of the City of Terrell Hills. No Municipal official or employee 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 4. POLICY. It is hereby declared to be the policy of the City of Terrell Hills to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all Municipal records 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 Texas Local Government Records Act and accepted records management practice.

SECTION 5. DESIGNATION OF RECORDS MANAGEMENT OFFICER. The Executive Secretary, and the successive holders of said office, shall serve as Records Management Officer for the City Of Terrell Hills. As provided by state law, each successive holder of the office shall file his or her name with the director and librarian of the Texas State Library within thirty days of the initial designation or of taking up the office, as applicable.

SECTION 6. ESTABLISHMENT OF RECORDS MANAGEMENT COMMITTEE; DUTIES. A Records Management Committee consisting of one member from each Department, appointed by the Department head, is hereby established. The committee shall:

- a. Assist the Records Management Officer in the development of policies and procedures governing the records management program;
- b. Review the performance of the program on a regular basis and propose changes and changes if needed;
- c. Review and approve records control schedules submitted by the Records Management Officer;
- d. Give final approval to the destruction of records in accordance with approved records control schedules; and
- e. Actively support and promote the records management program throughout the City of Terrell Hills.

SECTION 7. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; APPROVAL OF PLAN; AUTHORITY OF PLAN.

- a. The Records Management Officer and the Records Management Committee shall develop a

records management plan for the City of Terrell Hills for submission to the City Council. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of record keeping, to adequately protect the essential records of the Municipality that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by state law and this Ordinance effectively.

b. Once approved by the City Council the records management plan shall be created, maintained, stored, microfilmed, or disposed of in accordance with the plan.

c. State law relating to the duties, other responsibilities, or record keeping 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 Ordinance and the records management plan adopted under it and may not be used by the department head as a basis for refusal to participate in the records management program of the City of Terrell Hills.

**SECTION 8. DUTIES OF RECORDS MANAGEMENT OFFICER.** In addition to other duties assigned in this Ordinance, the Records Management Officer shall:

1. administer the records management program and provide assistance to department heads in its implementation;

2. plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;

3. in cooperation with department heads identify essential records and establish a disaster plan for each Municipal office and department to ensure maximum availability of the records in order to reestablish operations quickly and with minimum disruption and expense;

4. develop procedures to ensure the permanent preservation of the historically valuable records of the Municipality;

5. establish standards for filing and storage equipment and for record keeping supplies;

6. study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the City of Terrell Hills;

7. provide records management advice and assistance to all Municipal departments by preparation of a manual or manuals of procedure and policy and by on-site consultation;

8. monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if Municipal records control Schedules are in compliance with state regulations;

9. disseminate to the Municipal 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 program;

11. direct 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 Ordinance;

12. ensure that the maintenance, preservation, microfilming, destruction, or other disposition of Municipality is carried out in accordance with the policies and procedures of the records management program and the requirements of state law;

13. 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 of Terrell Hills, including summaries of the statistical and fiscal data compiled under Subsection (13); and

15. bring to the attention of the City Council non-compliance by department heads or other Municipal personnel with the policies and procedures of the records management program or the Local Government Records Act.

**SECTION 9. DUTIES AND RESPONSIBILITIES OF DEPARTMENT HEADS.** In addition to other duties assigned in this Ordinance, department heads shall:

1. cooperate with the Records Management Officer in carrying out the policies and procedures established in the City of Terrell Hills for the efficient and economical management of records and in carrying out the requirements of this Ordinance;

2. adequately document the transaction of government business and the services, programs, and duties for which the department head and his or her staff are responsible; and

3. maintain the records in his or her 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 of Terrell Hills and the requirements of this Ordinance.

**SECTION 10. DESIGNATION OF RECORDS LIAISON OFFICERS.** For Each department

head the records management committee member will serve as Records Liaison Officer for the implementation of the records management program in the department. Persons designated as Records Liaison Officers shall be thoroughly familiar with all records created and maintained by the department and shall have full access to all records of the Municipality 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 or her department.

SECTION 11. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON OFFICERS. In addition to other duties assigned in this Ordinance, Records Liaison Officers shall;

- a. conduct or supervise the conduct of inventories of the records of the department in preparation for the development of records control schedules;
- b. in cooperation with the Records Management Officer coordinate and implement the policies and procedures of the records management program in their departments; and
- c. disseminate information to department staff concerning the records management program.

SECTION 12. RECORDS CONTROL SCHEDULES TO BE DEVELOPED; APPROVAL; FILING WITH STATE.

- a. 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 Municipal records as the records management plan may require.
- b. Each records control schedule shall be monitored and amended as needed by the Records Management Officer 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 record keeping procedures and needs of the department and the records management program of the City of Terrell Hills.
- c. Before its adoption a records control schedule or amended schedule for a department must be approved by the City Council.
- d. Before its adoption a records control schedule must be submitted and accepted for filing by the director and librarian of the Texas State Library and Archives Commission as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable her filing. The Records Management Officer shall submit the records control schedules to the director and librarian.

**SECTION 13. 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 7 shall be implemented by department heads and Records Liaison Officers 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 law suit, or the department head requests in writing to the Records Management Committee 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 obtained by the Records Management Officer from the Records Management Committee.

**SECTION 14. DESTRUCTION OF UNSCHEDULED RECORDS.** 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 Texas State Archives an approved destruction authorization request.

**SECTION 15. RECORDS CENTER.** A records center, developed pursuant to the plan required by Section 7, 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 7.

**SECTION 16. MICROGRAPHIC.** Unless a micrographic program in a department is specifically exempted by order of the City Council, all microfilming of records will be centralized and under the direct supervision of the Records Management Officer. The records management plan will establish policies and procedures for the microfilming of Municipal records, including policies to ensure that all microfilming of local government records established in rules of the Texas 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 operations is, nevertheless, subject to periodic review by the records management officer as to cost-effectiveness, administrative efficiency, and compliance with commission rules.

(Title 6, Subtitle C, Local Government Code (Local Government Records Act) provides that a Municipality must establish by Ordinance an active and continuing records management program to be administered by a Records Management Officer)  
(Ord. 839, 7-8-91)

**Sec. 1-40 Reserved**

**Sec. 1-41. Special Provisions for the Observance of Holidays**

If any of the above holidays falls on a Saturday, the Friday preceding will be observed as a holiday and if any fall on Sunday, the following Monday will be observed as a holiday.

The Mayor is authorized to declare by proclamation additional holidays for special occasions.

On official holidays of the City of Terrell Hills, Texas, the City Hall shall be closed and no official business shall be transacted. Provided, however, that the Fire and Police Departments shall not be affected by legal holidays.

(Ord. 48, 12-19-60)

**Sec. 1-42. Delegation of Approval Responsibility**

1. Without further action by the Planning and Zoning Commission or City Council, the City Manager has authority to approve the following:

- a. Amending plats described by Section 212.016 of the Texas Local Government Code;
- b. Minor plats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities;
- c. A replat under Section 212.0145 of the Texas Local Government Code that does not require the creation of any new street or the extension of municipal facilities

2. The City Manager may at any time elect not to exercise the foregoing authority and present the plat for approval by the Planning and Zoning Commission and City Council in accordance with the provisions of this ordinance.

3. The City Manager shall not disapprove the plat and is required to refer any plat which the City Manager refuses to approve to the Planning and Zoning Commission and City Council for consideration in accordance with the provisions of this ordinance.

(Ord.1209, 2-13-06)