

**ORDINANCE NO. 2023-18**

**AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS AMENDING SECTION 2-326 OF ITS CODE OF ORDINANCES, DESIGNATED, OF DIVISION II, RECORDS MANAGEMENT OFFICER, OF ARTICLE V, RECORDS MANAGEMENT, OF CHAPTER II, ADMINISTRATION; PROVIDING FOR SEVERABILITY, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.**

**WHEREAS**, the City of Tomball, Texas (the “City”) is a home-rule municipality pursuant to sect 5, article 11 of the Texas constitution and as such, is vested with the power of local self-government; and

**WHEREAS**, the City desires to amend section 2-326 of its Code of Ordinances to name the City Secretary as the records management officer;

**WHEREAS**, the City Council finds it to be in the best interest of the health, safety and welfare of its residents to amend its code of ordinances as set forth herein; now therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:**

**Section 1.** The findings contained in the preamble of this Ordinance are hereby found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** Section 2-326, Designated, of Division II, Records Management Officer, of Article V, Records Management, of Chapter II, Administration, is hereby amended to delete therefrom the language struckthrough below and to add the language underscored below, such Section 2-326 to read as follows:

**Sec. 2-326. - Designated.**

The city council hereby designates the City Secretary to serve as records management officer for the city. ~~shall designate an individual employed by the city to serve as records management officer for the city. Upon the resignation, retirement, dismissal or removal by action of the city council of the individual so designated, the city council shall promptly designate another individual to serve as records management officer.~~ The ~~individual designated as records management officer~~ City Secretary shall file his or her name with the director and librarian of the state library within 30 days of the date of designation, as provided by state law.

**Section 3.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of Tomball, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

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LORI KLEIN QUINN, Mayor

ATTEST:

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TRACYLYNN GARCIA, City Secretary