

BILL NO. 2008-10

ORDINANCE NO. _____

AN ORDINANCE TO REVISE THE COMPOSITION AND RESPONSIBILITIES OF THE RECORDS MANAGEMENT COMMITTEE, ADOPT NEVADA'S MINIMUM RECORDS RETENTION SCHEDULES FOR LOCAL GOVERNMENTS, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Orlando Sanchez, Deputy City Manager

Summary: Revises the composition and responsibilities of the Records Management Committee, and adopts Nevada's minimum records retention schedules for local governments.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Title 2, Chapter 60, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.60.030: A records management committee is hereby established and shall be composed of:

(A) The City Manager or his designee;

(B) The City Attorney or his designee;

(C) The City Clerk;

(D) The City Auditor;

~~[(D)]~~ (E) The Director of Finance and ~~[Computer]~~ Business Services or his designee;

~~[and]~~

~~[(E)]~~ (F) The Director of ~~[General Services]~~ Public Works or his designee~~[:]; and~~

(G) The Director of Information Technologies or his designee.

SECTION 2: Title 2, Chapter 60, Section 40, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.60.040: In addition to the responsibilities described in LVMC 2.60.070, the ~~[The]~~ Records Management Committee, as it deems necessary or appropriate, shall:

(A) ~~[Except as is otherwise provided in LVMC 2.60.070, approve or modify all records retention schedules before they are submitted to the City Council for their approval;]~~ Establish policies and procedures for use by the City in complying with the requirements of this Chapter;

1 (B) Review and approve policies and procedures established by the departments
2 of the City pursuant to LVMC 2.60.050(B);

3 [(B)] (C) Approve all requests for the purchase of filing or micrographics equipment; and

4 [(C)] (D) Provide general guidance and assistance with respect to improvements of the
5 records management process.

6 SECTION 3: Title 2, Chapter 60, Section 50, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **2.60.050:** The director of each department of the City shall:

9 (A) Conduct and maintain an inventory of all of the types of public records that
10 exist within that department; [for disposition in accordance with procedures that are prescribed by the
11 City Clerk.] and

12 (B) [Prepare a records retention schedule for public records within that department.]
13 With regard to such records, establish such policies and procedures as are necessary and appropriate
14 in order to comply with this Chapter and procedures established thereunder.

15 SECTION 4: Title 2, Chapter 60, Section 70, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **2.60.070:** (A) A record may be disposed of only in accordance with the records retention
18 schedule that has been approved for records of that type.

19 (B) The documents entitled "Local Government Records Retention Schedules" and
20 "Nevada Local Government Records Program Manual," adopted by the Nevada State Library and
21 Archives Division on June 26, 2007, are hereby adopted by the City. The respective retention periods
22 that are established in [the Nevada Administrative Code] those documents shall be the minimum
23 periods for which the records of the City, other than judicial records and other documents of the
24 Municipal Court, must be retained.

25 (C) [A proposed schedule for the retention of the public records of any office, other
26 than judicial records and other documents of the Municipal Court, shall be submitted to the City Clerk.
27 The City Clerk shall then submit the proposed schedule] The City may establish periods of retention
28 longer than those designated by the State for any particular class of record. Further, the City may

1 establish retention schedules for any record not addressed by the State's schedules. Any schedule
2 proposed to be established pursuant to this Subsection (C) shall be submitted to the Records
3 Management Committee for its approval and, after such schedule has received the approval of the
4 Records Management Committee, the City Clerk shall submit the same to the City Council for its
5 approval. [Such schedules shall become effective upon its approval by the City Council.] Such
6 approval shall be accomplished by ordinance.

7 (D) The disposition of judicial records and other documents of the Municipal Court
8 shall be governed by a records retention schedule that is approved by the Judges of the Municipal
9 Court by a court rule that is adopted in accordance with the rules of the Nevada Supreme Court. Such
10 schedule shall become effective upon its approval by a majority of the Judges of the Municipal Court
11 and shall establish a system of records management for Municipal Court to be implemented by the
12 Court Administrator.

13 SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or
14 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
15 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
16 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
17 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
18 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
19 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
20 invalid or ineffective.

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SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2008.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steef 1-23-08
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2008, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2008, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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12 APPROVED:

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14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, CMC
City Clerk
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