

City of Fayetteville Staff Review Form

2022-0723

Legistar File ID

9/6/2022

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Kara Paxton

8/9/2022

CITY CLERK (051)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Amend §31.30 Office of City Clerk-Treasurer to expand and clarify the City Clerk Treasurer's Custodial and Destruction of City Records Duties.

Budget Impact:

Account Number		Fund	
Project Number		Project Title	
Budgeted Item?	No	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	No	Item Cost	\$ -
Budget Adjustment Attached?	No	Budget Adjustment	\$ -
		Remaining Budget	\$ -

V20210527

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF September 6, 2022

TO: Mayor and City Council
THRU: Kara Paxton, City Clerk Treasurer
FROM: Christine Rea, Document Manager
DATE: 08/09/2022
SUBJECT: Amend §31.30 Office of City Clerk - Treasurer

RECOMMENDATION:

Amend §31.30 Office of City Clerk-Treasurer to expand and clarify the City Clerk Treasurer's Custodial and Destruction of City Records Duties.

BACKGROUND:

The City Clerk-Treasurer's office has been tasked with completing the process of destroying City records once approval is received from City Council. By amending this section of code will provide clarity to the duties that have been placed on our office.

DISCUSSION:

The City Clerk-Treasurer's office is requesting to amend the code to ensure that the duties that have been placed on our office by the City of Fayetteville and the State of Arkansas are reflected in the city code.

BUDGET/STAFF IMPACT:

None

Attachments:

City Council Memo
Staff Review Form

ORDINANCE NO. _____

AN ORDINANCE TO AMEND §31.30 OFFICE OF CITY CLERK – TREASURER (C) DUTIES TO EXPAND AND CLARIFY THE CITY CLERK’S CUSTODIAL AND DESTRUCTION OF CITY RECORDS DUTIES

WHEREAS, A.C.A. §14-43-506 **Duties of City Clerk** (a) provides that the City Clerk “shall have the custody of all the laws and ordinances of the city...”; and

WHEREAS, the Fayetteville City Clerk Treasurer is the proper elected official to also have official custody of all ordinances, resolutions, contracts approved by ordinances, resolutions or through the Agenda and Non-Agenda process, minutes and agendas of City Council meetings, all documents within the City Council Agenda packets, Statements of Financial Interest of City Officials, Records of the Police and Fire Pension Boards, and internal documents or records of the City Clerk Treasurer’s Office; and

WHEREAS, the City Clerk has historically conducted destructions of documents pursuant to the Retention Schedule for the City of Fayetteville and state laws when approved by City Council Resolution for destruction.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends §31.30 (C) **Duties** of the *Fayetteville Code* by enacting new subsections (C)(3) and (C)(4) as follows:

“(C)(3) The City Clerk Treasurer shall be and is the official custodian of all of the following city documents:

- (a) Laws and ordinances of the City, including the *City of Fayetteville Code of Ordinances*;
- (b) Resolutions of the City Council;
- (c) Contracts approved by City Council Resolution, Ordinance or through the agenda and non-agenda approval process;
- (d) Documents within the City Council Agenda Packets;
- (e) Minutes and Agendas of the City Council meetings;
- (f) Statements of Financial Interest for City Officials;
- (g) Records of the Police and Fire Pension Boards;
- (h) All internal documents or records of the City Clerk – Treasurer’s Office.

(4) The City Clerk – Treasurer is empowered and authorized to oversee the destruction of city records pursuant to state law, particularly A.C.A. §14-59-114, and any amendments thereto, when authorized by City Council Resolution.”

PASSED and **APPROVED** this _____ day of _____, 2022.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
KARA PAXTON, City Clerk/Treasurer