

**ORDINANCE No. 2013-152
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SHOREACRES TO SPECIFY THE PHYSICAL PLACEMENT OF THE DIGITAL RECORDER USED TO COUNCIL MEETINGS; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * *

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

That, the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct; and,

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That the City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

That section 2-88 of the Shoreacres City Code is hereby amended to read as follows:
Sec. 2-88. – Audio recording of council meetings.

- (a) The city secretary shall record all city council meetings with a digital audio recorder that shall be placed in front of the mayor, or in the center of the lateral desk of the commonly used city council meeting table, or in the center of discussion where a meeting of council is held, in a commonly used digital format.
- (b) The city secretary shall cause a copy of each digital recording to be placed on the city's website for public access or downloading in a commonly used digital format no later than 72 hours after the meeting is adjourned.
- (c) The digital audio file shall be retained and continuously available on the city's website for a period of no less than 10 years, or as required by law, whichever is greater.

- (d) "Commonly used digital format" shall mean an audio digital file format capable of being replayed by a computer software program available to the public at no cost for the software.
- (e) Subsections (b) and (c) shall not apply to closed meetings authorized by the Texas Government Code.

This Ordinance shall be effective immediately after its passage and approval.

PASSED AND APPROVED this the 11th day of November 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____
David Stall, City Secretary - Date