

ORDER ESTABLISHING RECORDS MANAGEMENT POLICY AND
AMENDING AND RESTATING THE RECORDS MANAGEMENT PROGRAM

Chapter 201 of the Texas Local Government Code (“Code”) provides that a unit of local government must establish by Order an active and continuing Records Management Program to be administered by a Records Management Officer; and

Fort Bend County Toll Road Authority (“Authority”), is a unit of local government within the meaning of the Code; and

The Authority previously adopted the ORDER AMENDING AND RESTATING THE RECORDS MANAGEMENT PROGRAM (“Prior Order”) on April 18, 2018, for the purpose of complying with the Code and to prescribe policies and procedures consistent with the Code for the efficient and economical management of Authority Records; and

The Authority now desires to adopt this Order for the purpose of amending and restating the policies and procedures related to the management of Authority Records in accordance with the Code; NOW, THEREFORE,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY THAT:

Section 1. This Order supersedes and replaces all prior orders related to the Authority’s Records Management Program, including, but not limited to, the Prior Order.

Section 2. The Records Management Policy and Program attached hereto as **Exhibit A**, and incorporated herein for all purposes, is hereby approved and adopted by the Authority.

Section 3. A copy of this Order shall constitute (i) the Authority’s Records Management Policy and amended and restated Records Management Program and certification of compliance with the minimum requirements established in the Records Control Schedules issued by the Texas State Library and Archives Commission (“Texas State Library”), and (ii) the designation of the Authority’s attorney, as indicated in **Exhibit A**, as its Records Management Officer, which is to be filed with the director and librarian of the Texas State Library.

Section 4. The Authority’s Records Management Policy and Program and the designation of the Authority’s attorney as its Records Management Officer is effective upon adoption of this Order.

Section 5. The Records Management Officer is authorized to complete, execute, and submit the Declaration of Compliance (Form SLR508) to the Texas State Library.

Section 6. All Authority officers and Consultants are authorized to execute any and all documents necessary or convenient to accomplish the purposes of this Order.

Section 7. Terms used but not defined herein shall have the meanings set forth in the Records Management Policy and Program.

[Execution Page Follows]

APPROVED AND ADOPTED this June 19, 2023.


Chairman, Board of Directors

EXHIBIT A

RECORDS MANAGEMENT POLICY AND PROGRAM

(see attached)

FORT BEND COUNTY TOLL ROAD AUTHORITY RECORDS MANAGEMENT POLICY AND PROGRAM

The Texas Local Government Records Act (Title 6, Subtitle C, Local Government Code), provides that each local government must establish an active and continuing records management program; and the Fort Bend County Toll Road Authority desires to adopt a plan to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping; now therefore:

SECTION 1. DEFINITION OF RECORDS OF THE FORT BEND COUNTY TOLL ROAD AUTHORITY. 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 Fort Bend County Toll Road Authority or any of its officers or employees pursuant to law or in the transaction of public business, are declared to be the records of the Fort Bend County Toll Road Authority and shall be created, maintained, and disposed of in accordance with the provisions of this policy or the procedures authorized by it and in no other manner.

SECTION 2. RECORDS DECLARED PUBLIC PROPERTY. All records as defined in Sec. 1 of this policy are declared to be the property of the Fort Bend County Toll Road Authority. No official or employee of the Fort Bend County Toll Road Authority 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 3. POLICY. It is declared to be the policy of the Fort Bend County Toll Road Authority to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office 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 Local Government Records Act and accepted records management practice. This policy shall apply to all employees,

agents, independent contractors, and volunteers of the Fort Bend County Toll Road Authority.

SECTION 4. RECORDS MANAGEMENT OFFICER. The attorney for the Fort Bend County Toll Road Authority, currently Greenberg Traurig LLP, Houston, Texas, will serve as Records Management Officer for the Fort Bend County Toll Road Authority as provided by law and will develop policies and procedures to ensure that the maintenance, preservation, security, destruction, electronic storage, and other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

SECTION 5. RECORDS CONTROL SCHEDULES. Appropriate records control schedules issued by the Texas State Library and Archives Commission shall be adopted by the Records Management Officer for use by the Fort Bend County Toll Road Authority, as provided by law. Reference is made to the *“Local Schedule GR (Revised Fifth Edition), Retention Schedule for Records Common to All Local Governments”* published by the Texas State Library & Archives Commission (the “Texas State Library”), which is incorporated hereto and made a part hereof for guidance in the management and retention of records of the Fort Bend County Toll Road Authority.

The Records Management Officer shall prepare amendments to the schedules as needed to reflect new records created or received by this office, or revisions to retention periods established in a records retention schedule issued by the Texas State Library. Any destruction of records of the Fort Bend County Toll Road Authority will be in accordance with these schedules and the Local Government Records Act.