

POSITION PAPER

Records Publication, Verification, and Codification Policy

Purpose

The purpose of the proposed resolution is narrow and practical: to establish a consistent, professional process for how adopted ordinances and resolutions are presented to the public on the City website and transmitted to the codifier.

It is not intended to change Arkansas law, alter the statutory duties of the Recorder-Treasurer, dictate how the Recorder-Treasurer maintains the City's official books and records, or create a substitute method of recordkeeping.

Arkansas law already assigns custody of city laws and ordinances to the city clerk in a city of the first class. A.C.A. § 14-43-506(a) provides that the clerk has custody of the laws and ordinances and keeps the council journal. A.C.A. § 14-55-205 also requires ordinances after passage to be recorded and authenticated by the presiding officer and the clerk or recorder. The proposed policy is intended to operate after and alongside those statutory responsibilities, not in place of them.

Why a Written Process Is Needed

Recent errors demonstrate why an informal process is not enough. One ordinance link on the City website was associated with an unrelated subdivision document, while another ordinance posting included the signed enactment together with a redlined draft and supporting materials. Those errors can create confusion for citizens, staff, attorneys, and the codifier as to what the Council actually adopted.

The concern is not simply the individual mistake. The larger concern is continuity. When personnel change, duties are reassigned, or responsibilities are handled informally, procedures that depend upon memory can easily be lost. A short written process creates institutional continuity without interfering with the lawful authority of any elected official.

What the Resolution Is Intended to Do

The proposed resolution does not tell the Recorder-Treasurer how to maintain the statutory ordinance book or how to exercise custody over original municipal records. Instead, it establishes minimum quality-control objectives for the City's public-facing and codification process, including identifying the final adopted document, separating drafts and supporting materials, checking the actual public-facing website link, providing an independent second review where reasonably practicable, and transmitting the correct final enactment to the codifier.

The Council's legislative authority remains subject to powers that state law specifically assigns to another municipal officer. A.C.A. § 14-43-502 and § 14-43-602 provide the legal framework for municipal legislative authority, while the proposed resolution is intended only as a municipal internal-control and public-information standard.

What the Resolution Is Not Intended to Do

- change the statutory method by which ordinances are recorded or authenticated;
- change the Recorder-Treasurer's custody of official records;
- direct the Recorder-Treasurer how to organize or administer the internal workings of that elected office;
- require a new legal form of recordkeeping beyond what Arkansas law requires; or
- make a website copy legally superior to the City's authenticated official record.

The objective is simply to ensure that when the City tells the public, the codifier, or another outside party, "this is the ordinance adopted by the City Council," the document presented is in fact the correct final enactment.

Proposed Verification Checklist

The following checklist is offered as a practical template. It should not be interpreted as changing any statutory duty. The Recorder-Treasurer may use this checklist or an equivalent process that accomplishes the same quality-control objectives.

Verification Item	Initial Review	Independent Review
Correct ordinance/resolution number	☐	☐
Correct title	☐	☐
Final adopted version used	☐	☐
Council amendments incorporated	☐	☐
Required signatures/attestation present	☐	☐
Pages complete and in correct order	☐	☐
No unrelated material included	☐	☐
No draft or redlined version included	☐	☐
No position paper or supporting material included in final enactment	☐	☐
Correct filename used	☐	☐
Correct City website entry used	☐	☐
Public-facing link opened and verified	☐	☐
Correct final document transmitted to codifier	☐	☐
Any correction documented	☐	☐

Document Number: _____

Date Adopted: _____

Initial Review By: _____

Independent Review By: _____

Date Posted: _____

Date Transmitted to Codifier: _____

Conclusion

This proposal is not about changing state law or expanding Council authority over an elected office. It is about establishing a logical and professional quality-control process for the records the City presents publicly and forwards for codification.

The authenticated official record remains governed by Arkansas law and under the statutory custody of the Recorder-Treasurer. The proposed policy simply seeks to ensure that the publicly presented copy and the codifier's copy accurately correspond to that official record.

That is a modest internal control, but one that can prevent repeated mistakes and preserve continuity as City personnel and responsibilities change.