

DRAFT FOR CITY ATTORNEY REVIEW

RESOLUTION NO. 2026-_____

A RESOLUTION ESTABLISHING MINIMUM INTERNAL CONTROLS FOR THE IDENTIFICATION, WEBSITE POSTING, VERIFICATION, AND TRANSMISSION FOR CODIFICATION OF ADOPTED ORDINANCES AND RESOLUTIONS; PRESERVING THE STATUTORY AUTHORITY AND CUSTODIAL RESPONSIBILITIES OF THE RECORDER-TREASURER; AND FOR OTHER PURPOSES.

WHEREAS, Arkansas Code Annotated § 14-43-506(a) provides that the city clerk in cities of the first class shall have custody of all laws and ordinances of the city and shall keep a regular and correct journal of the proceedings of the city council; and

WHEREAS, Arkansas Code Annotated § 14-55-205 requires bylaws and ordinances, after passage, to be recorded and authenticated by the signature of the presiding officer of the governing body and the clerk or recorder; and

WHEREAS, Arkansas Code Annotated § 14-43-502 provides that the city council possesses the legislative powers and corporate powers of the city, except where such powers are prohibited or conferred upon another municipal officer; and

WHEREAS, Arkansas Code Annotated § 14-43-602 authorizes municipalities to exercise full legislative power in matters pertaining to municipal affairs; and

WHEREAS, the Tontitown City Council recognizes that the Tontitown Recorder-Treasurer is an independently elected municipal officer and that nothing in this Resolution is intended to transfer, diminish, supervise, or interfere with duties assigned to that office by Arkansas law; and

WHEREAS, accurate website posting and transmission of municipal enactments are matters affecting the integrity of City records and the reliability of information provided to the public, City officials, legal counsel, and the City's codifier; and

WHEREAS, recent instances have demonstrated the possibility that an unrelated document, draft, redlined document, or supporting material may inadvertently be associated with or included in a public record identified as an adopted ordinance; and

WHEREAS, written minimum controls are appropriate to reduce such errors and to provide continuity when employees, contractors, technology, or administrative assignments change;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:

SECTION 1. PURPOSE AND CONSTRUCTION

The purpose of this Resolution is to establish minimum City internal-control standards concerning the identification, website posting, verification, and transmission for codification of adopted ordinances and resolutions.

Nothing in this Resolution shall be construed to alter or diminish the statutory custody of laws, ordinances, or municipal records vested in the Recorder-Treasurer; to direct the manner in which the Recorder-Treasurer maintains the official records of that office; to transfer any statutory duty assigned by Arkansas law to the Recorder-Treasurer; to confer supervisory authority over the Recorder-Treasurer upon the City Council or any individual alderman; or to alter any requirement of state law concerning adoption, authentication, publication, preservation, or public access.

The Recorder-Treasurer shall retain authority to administer the internal operations of the Recorder-Treasurer's office consistent with Arkansas law.

Nothing in this Resolution authorizes website posting as a substitute for any publication or posting required by Arkansas law, including A.C.A. § 14-55-206.

SECTION 2. IDENTIFICATION OF OFFICIAL ENACTMENT

For purposes of City publication and transmission for codification, the document identified as the official enactment should be the final version reflecting the action taken by the City Council and authenticated as required by law.

Drafts, redlined versions, attorney-review copies, position papers, explanatory materials, and other legislative-history documents may be retained as City records but should be maintained separately from the document represented to the public or codifier as the final enacted ordinance or resolution.

Nothing in this Section dictates the Recorder-Treasurer's statutory method of maintaining original records.

SECTION 3. MINIMUM VERIFICATION CONTROL

Before an adopted ordinance or resolution is transmitted to the City's codifier, and when practicable before or promptly after website posting, the City shall employ an independent verification process designed to confirm that the electronic document:

- bears the correct ordinance or resolution number;
- corresponds to the action adopted by the City Council;
- contains the correct and complete pages;
- represents the final enactment rather than a draft or redline;
- contains applicable authentication or attestation;
- does not contain unrelated materials; and
- is associated with the correct public-facing website entry.

The verification process should include review by a person other than the person who prepared, scanned, uploaded, or transmitted the document whenever reasonably practicable. The Recorder-Treasurer retains authority to determine whether and how personnel within that office participate in or document the verification process.

SECTION 4. PUBLIC-FACING WEBSITE CHECK

As part of the verification process, the City should verify the actual public-facing link to confirm that the intended document opens correctly and is associated with the correct title or description.

This Section establishes a minimum internal-control objective and is not intended to prescribe the Recorder-Treasurer's internal staffing assignments.

SECTION 5. TRANSMISSION FOR CODIFICATION

The City should transmit to its municipal codifier only the final enactment intended for codification.

Drafts, redlines, position papers, correspondence, or other supporting documents should not be transmitted as though they constitute the enacted ordinance.

The Recorder-Treasurer shall retain authority over the authentication and release of official municipal records in accordance with Arkansas law.

SECTION 6. PROCESS DOCUMENTATION

The City shall maintain sufficient documentation to demonstrate that the website posting and codifier transmission have been reviewed for accuracy.

The Recorder-Treasurer may determine the form of such documentation, which may include a checklist, log, electronic record, or other reasonable method.

SECTION 7. CORRECTION OF ERRORS

When an incorrect or incomplete electronic document is discovered, the appropriate City official or employee should cause the website posting to be corrected promptly.

If an incorrect document has been transmitted to the codifier, the City should promptly transmit the corrected final enactment and identify it as superseding the prior transmission.

Nothing in this Section alters the Recorder-Treasurer's statutory custody of the official records.

SECTION 8. ADMINISTRATIVE IMPLEMENTATION

The Recorder-Treasurer may adopt, revise, or replace administrative procedures necessary to implement this Resolution, including personnel assignments, document naming conventions, workflow, storage practices, and electronic procedures.

Any such administrative procedures shall remain consistent with the minimum control objectives established by this Resolution and applicable Arkansas law.

SECTION 9. NO ENCROACHMENT UPON STATUTORY OFFICE

This Resolution establishes municipal policy and internal-control objectives and shall not be interpreted as an assumption by the City Council of any statutory power, custody, or responsibility assigned by Arkansas law to the Recorder-Treasurer or any other elected municipal officer.

SECTION 10. CONTINUING EFFECT

This Resolution shall remain in effect until amended or repealed by subsequent action of the City Council.

PASSED AND APPROVED this ____ day of _____, 2026.

APPROVED:

Mayor

ATTEST:

Recorder-Treasurer

SPONSORSHIP AND LEGISLATIVE HISTORY

Sponsor (Initiated By):

Motion to Introduce Made By:

Seconded By:

Adopted/Passed:

Vote: Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

EXHIBIT A

SUGGESTED MINIMUM VERIFICATION CHECKLIST

The Recorder-Treasurer may use this checklist or an equivalent paper or electronic control process that accomplishes the same verification objectives.

Document Number: _____

Title: _____

Date Adopted: _____

Verification Item	Completed	Date / Initials
Correct ordinance/resolution number	☐	
Correct title or public description	☐	
Final adopted version	☐	
Council amendments incorporated	☐	
Required authentication/attestation present	☐	
Pages complete and in correct order	☐	
No unrelated documents included	☐	
No draft or redlined version included	☐	
No position paper or supporting material included in the official enactment file	☐	
Filename correctly identifies the document	☐	
Public website entry accurately describes the document	☐	
Public-facing link opened and verified	☐	
Correct final document transmitted to codifier, if applicable	☐	
Transmission or correction documented	☐	

Initial Review By: _____ Date: _____

Independent Verification By: _____ Date: _____

Codifier Transmission Date (if applicable): _____

Correction Required: ☐ No ☐ Yes

If yes, correction completed and reverified by: _____

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