

EXHIBIT B

RECORDS MANAGEMENT POLICY

Purpose

The purpose of this policy is to establish a policy and standard procedures for managing records according to the provisions of Chapter 40.14 RCW and all other state and federal statutes and regulations which govern agency records keeping practices. Organizing and managing records will save space, provide efficient access, and maintain confidentiality where needed.

Scope

This policy applies to all City employees and elected officials. As public employees, we are all stewards of the City's official records and therefore, have a responsibility to actively participate in management of those records. Official records are comprised of a collection of documentation, including legislative, historic, legal, fiscal and administrative documents, as well as essential records.

Records management includes a vast array of elements and each department will strive to ensure proper safekeeping and destruction pursuant to the criteria set forth herein. A concerted effort will be made to adhere to the retention schedules and to destroy all appropriate records that are being stored in various facilities throughout the City and prepare archival material for transfer to the State Archives. All backlogged and inactive records will be stored or destroyed pursuant to the retention schedules.

What is a Public Record?

Chapter 40.14 of the Revised Code of Washington (RCW) contains regulations for the retention, preservation and lawful destruction of public records, and grants authority to Washington State Archives to preserve and protect public records. (Chapter 42.56 RCW defines public records for the purposes of public records requests.) Per RCW 40.14.010, public records are defined by three key criteria:

1. "Made or received by any agency in the State of Washington". Public Records include both the records that an agency creates and those that it receives or collects. For example, when an agency solicits public comment on an issue, both the request for comment and information received in response are public records.
2. "In connection with the transaction of public business". A record provides proof or evidence of agency business. Agency business includes not only the core functions of an agency, but also support functions, such as finance, human resources, and facility management.

If a record meets the two criteria above, then it is a public record, regardless of the format in which it is transmitted or received.

3. "Regardless of physical form or characteristic". This definition encompasses not only paper records, but also records that are created, received, and used in digital format, including emails, websites, databases, digital photos, blogs, and tweets.

Per RCW 40.14.020, public records are the property of the State of Washington, and do not belong to the individuals who create or receive them. These records must be kept, managed, and disposed of lawfully, in accordance with approved records retention schedules. Agencies need to be aware of what constitutes a public record to capture, manage, retain and dispose of them appropriately.

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Benefits of Managing Public Records

An effective records management program:

1. Enables the City to fulfill its mission. Public records form a critical element of the informational assets of the City. Having timely access to accurate information is central to the City being able to fulfill its mission.
2. Promotes cost-effective use of agency resources.
 - i. Time - City staff can work most productively when the right people are able to locate the right records at the right time. In addition, retaining records that document the agency's actions and experiences helps prevent the wasting of time and resources during staff turnover.
 - ii. Storage costs - Through timely destruction of non-archival records (which have met their minimum retention period) and transfer of archival records to Washington State Archives, the City is able to make optimal use of the physical space within their facilities and the storage space on their servers.
 - iii. IT costs - In addition to reducing IT storage costs, the appropriate disposal/transfer of public records also reduces other IT costs associated with the time it takes to backup/restore data, and to search for and migrate records.
 - iv. Litigation costs - By being able to locate all necessary records in a timely manner during litigation, public records requests, and audits, agencies minimize their risks and associated costs.
3. Promotes Open and Accountable Government. Public records are the evidence by which government agencies can demonstrate, whether during litigation, public records requests, or audits, that they took the right action at the right time for the right reasons. Demonstrating that public records are organized, controlled, and only disposed of as part of a managed program enhances the professionalism of the agency, the public's confidence in the agency, and potentially be a deciding factor in litigation.

Records Management Officer

The City Clerk is designated as the Records Management Officer for the City. The Records Management Officer, or designee, will ensure the citywide records management program is followed and have the following responsibilities:

- Remain current and knowledgeable on the laws and rules governing records retention that affects the City.
- Periodically review the City's retention process to ensure that policies and procedures are being followed and are current with State law.
- Provide periodic training and meetings with Records Liaisons.
- Oversee the destruction of records that have reached the end of their retention prior or coordinate transfer of records to central storage or to the State Archives.

Records Liaisons

Each Department will assign, at minimum, one staff member to serve as the Records Liaison for their Department and whose responsibilities shall include:

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- Work with the City Clerk to establish a file structure and file naming conventions that assists in classifying and preserving records in their area of responsibility
- Complete training as required under the Open Government Trainings Act at least every four years.
- Be knowledgeable regarding their records and the retention schedule that applies
- Complete annual disposal of records which have met retention
- Prepare records for storage
- Educate and train staff within their department on best practices regarding records management and retention.

Departments Affected

Each department will work to ensure that:

- Only active records are stored in valuable office and network space;
- Historically valuable records are preserved and transferred to the State Archives;
- Records are destroyed at the end of the retention period specified on the retention schedule;
- Essential Records are protected from damage or loss in the event of a disaster;
- Public record integrity and accessibility is preserved for their approved retention periods;
- Records are accessible for public inspection and their security is maintained according to the provisions of the Public Disclosure Act (RCW 42.17).

Records Retention Schedules

The City adopts the retention schedules as set forth by the State of Washington Secretary of State, Washington State Archives, found at:

<http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>

The City is subject to the following records retention schedules:

- Local Government Common Records Retention Schedule (CORE)
- Economic Dev & Transport
- Fire & Emergency Medical
- Land Use Planning & Permits
- Law Enforcement
- Licensing, Permitting & Tax
- Parks, Rec & Culture
- Utility Services

Exceptions to Retention Schedule

Records MUST NOT be destroyed, regardless of whether retention has been met, when subject to any of the following:

- Existing public records requests in accordance with RCW 42.56—If there is a pending request for records, you cannot destroy them even though the retention period to keep it has passed. Once the records have been provided to the Public Records Officer pursuant to the request, they may be logged on the destruction log and destroyed.
- Ongoing or reasonably anticipated litigation.
- Legal requirements, federal statutes, grant agreements.
- Archival transfer requirements found on the State Retention Schedule.

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- When a specific business need is identified and approved by the Department Director or Supervisor.
- Documents related to damage claims or litigation must be retained until determined they can be released for standard retention

Transitory Records

Many records will be designated as “Transitory Records” which are records with minimal retention value. Transitory Records need only be retained until no longer needed for agency business and then destroyed. The categories of Transitory Records are listed on page 157 of the CORE retention schedule.

If an employee is unsure whether a record is a Transitory Record or falls into an exclusion, the employee should consult with the retention schedules or the Records Management Officer.

Naming Conventions

Departments are given discretion on file naming conventions however, each department should adopt a uniform way of naming so as to maintain consistency, ease of filing, and locating records. Records Liaisons will be responsible for training departmental staff on naming convention best practices for their department.

Here are some tips:

- File names should be kept as short as possible while also providing meaningful information to identify the record.
- Avoid using initials, abbreviations, and codes that are not commonly understood.
- Avoid redundancy.
- Use capital letters to delimit words, not underscores.
- Avoid using non-alphanumeric characters.
- When including a number, always give it a two-digit number unless it is a year or another number with more than two digits.
- Versioning may be used in which case “v.##” should be added to the end.
- Avoid using “draft” or “letter” at the start of the file name as those records will all appear together in the file directory. This rule may be ignored depending on your file structure.

Notwithstanding the above, the City hereby adopts the following:

- Date convention: yyyyymmdd.
- Agendas, minutes: yyyyymmdd [Committee Name] Agenda
- Agenda bills: AByy-xxxx [Topic abbreviated]
- Contracts: [Contract #] Vendor Name – Type of Contract – yyyyymmdd

Email Management

Email and email systems are intended to be a medium of communication. Email messages are subject to the guidelines provided in chapter 40.14 RCW for the preservation and destruction of public records; as such they are managed through records retention schedules. The retention requirements for email messages and attachments are the same as paper documents with identical content. The messages must be managed individually. Email messages that have no public record significance may be deleted as soon as the message has served its purpose. For emails that have public record significance, the email must be retained. If the email is part of a chain of emails, only the last message in the chain must be saved assuming all prior messages are contained within the chain.

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All employees are responsible for the proper retention and disposition of their email records. Retention is based on the content of the message which must be evaluated to determine the record series it should be filed under and the length of time it must be retained. Email messages subject to retention must be retained in their electronic and native format until they meet their designated retention period. Printing and retaining a hard copy is not an acceptable substitute for the electronic message.

Employees should be thoughtful in determining who should be cc'd on an email as each recipient creates an additional record. Additionally, employees should refrain from blind copying themselves as that creates an additional record which is unnecessary. Should an employee need to flag an email that they have sent, they can move it from their "sent" folder to their "inbox."

Email communication in general will be retained pursuant to DAN GS2010-001 Rev.3 which states two (2) years after communication received unless subject to retention as stated above. Exceptions apply for elected officials / executive management staff.

IT will immediately purge backlogged email that has met retention and perform purging annually at the first of each calendar year.

Staff who need assistance with learning how to manage their email and identifying emails with retention value should contact the City Clerk for guidance.

Text Records

Records created related to city business—including text messages, voicemail messages, and other electronic communications—are public records. These records therefore (1) should be managed according to the applicable retention schedule, and (2) may be subject to disclosure under the Public Records Act. The following is intended to help manage the business-related messages you send or receive on smart phones or similar messaging devices.

The city does not have text or messaging archiving capabilities and thus employees are discouraged from using text as a means of communicating unless for transitory purposes. Examples of transitory messages include informal notices of meetings, directions, scheduling information, and other routine messages that would not be kept in a file if it were a paper communication. Delete transitory, business-related text messages as soon as possible.

Text messages may not be used to send policy, contract, formal correspondence, or personnel related data. Sensitive information should not be sent by text message, including social security numbers, credit card numbers, and passwords.

In the event a text is sent or received and the employee has determined that it has retention value based on its content, the employee must transfer the messages to the city's network. To do this, they need to screenshot the text thread and email it to him/herself so that it can be properly retained.

Social Media

The city's social media sites are subject to public records laws. Any content maintained in a social media format that is related to city business, including a list of subscribers and posted communication, is a public record. Content related to city business shall be maintained in an

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accessible format and so that it can be produced in response to a public records request. Whenever possible, such sites shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure. Users shall be notified that public disclosure requests must be directed to the city's public records officer.

Record retention schedules apply to social media formats and social media content. Department staff are responsible for ensuring retention of the original-source content including any deleted content. Training and questions related to this subject shall be directed to the city's Communications Coordinator. This section is not meant to conflict with any future social media policy. In the event this section conflicts with any adopted social media policy, the social media policy takes precedence.

Electronic Records

Per WAC 434-662-040, electronic records must be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. This includes text and voice messages related to the conduct of city business.

Paper Records

All employees should routinely, no less than annually, dispose of original paper records that have met retention and do not require offsite storage by either disposing of the records in a secure recycling location or by secure shredding when necessary to protect confidentiality.

Records that have a longer retention period can be boxed and transferred to central storage until retention is met. An approved box label must be completed prior to transfer. See your Records Liaison or the City Clerk for the form.

Disaster Prevention and Damaged Records Recovery Process

It is the policy of the City to ensure that its records are identified and protected as much as humanly possible from natural and man-made disasters. The procedures described below afford the City the most efficient and cost-effective method for protecting City records and recovering records when disasters occur.

- Avoid storing records near water pipes, air conditioning, or near a heat source.
- Strive to store records in file cabinets or in file drawers inside desks. Be sure to store essential records or copies of essential records in an alternate location. Place record storage boxes on shelves off the floor. Properly label boxes and maintain and update inventories of records and record storage locations.
- Properly labeled filing systems and boxes is essential for reporting disaster damage. In the event that records are damaged, City employees must assess the damage, perform recovery procedures, and when necessary, report records that are unrecoverable to the City Clerk's office. Actions necessary to recover documents can range from simply air-drying paper records to hiring restoration specialists for severely damaged records of various media types.
- Damaged records must be documented. If records are damaged, a Records Disaster Recovery Worksheet should be followed and a Damaged Records Assessment Report should be filled out. If records are unrecoverable, an Authorization to Destroy Unrecoverable Damaged Records should be completed. These reports serve as permanent record and would be utilized in any legal proceeding as evidence of damaged records.

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Documenting Records Disposal

Documentation of records destruction is required. Any forms left by the third-party shred company shall be immediately sent to the City Clerk for retention. In addition, employees wishing to dispose of records that have met retention, should complete a Public Records Destruction Log and send to the City Clerk for approval prior to disposition. Once approval has been given, the employee may shred, recycle, or delete as appropriate. Original Destruction Logs are maintained in the City Clerk's office. This form serves as a permanent record and would be utilized in any legal proceeding as evidence of proper destruction.

Indexing Records

Pursuant to SMC Chapter 2.50, the City finds that it would be unduly burdensome and would interfere with City operations to maintain an index of records.

Reference

Washington State Archives Laws and Rules for Records Management:
Revised Code of Washington (RCW)

- Chapter 40.14: Preservation and destruction of public records.
- Chapter 40.16: Penal provisions.
- Chapter 40.20: Reproduced records for governments and business.
- Chapter 40.24: Address confidentiality for victims of domestic violence, sexual assault, and stalking.
- Chapter 40.26: Biometric identifiers.

Washington Administrative Code (WAC)

- Chapter 434-600: Promulgation.
- Chapter 434-610: Definitions.
- Chapter 434-615: Custody of public records.
- Chapter 434-620: Powers and duties of the state archivist.
- Chapter 434-624: Powers and duties of the state records committee.
- Chapter 434-626: Powers and duties of the state agency records officers.
- Chapter 434-630: Powers and duties of the local records committee.
- Chapter 434-635: Local records disposition authorization.
- Chapter 434-640: Methods of records disposal.
- Chapter 434-660: Standards for the accuracy, durability and permanence of public records.
- Chapter 434-661: Real property electronic recording.
- Chapter 434-662: Preservation of electronic public records.
- Chapter 434-663: Imaging systems, standards for accuracy and durability.
- Chapter 434-670: The Washington state archives local records grant program.
- Chapter 434-677: Security microfilm.
- Chapter 434-690: Archives—Access to public records.
- Chapter 434-750: Combined fund drive.
- Chapter 434-840: Address confidentiality program.