

TBD – 2023  
TITLE 1 – ADMINISTRATIVE CODE PROVISIONS  
CHAPTER 14 – RECORDS MANAGEMENT POLICIES AND PROCEDURES

AN ORDINANCE CREATING TITLE 1, CHAPTER 14, DEFINING PURPOSE; CREATING DEFINITIONS OF CITY RECORDS; DECLARING CITY RECORDS AS PUBLIC PROPERTY; DECLARING CITY POLICY; ESTABLISHING RECORDS MANAGEMENT DIVISION; DESIGNATING THE CITY ARCHIVIST; ESTABLISHING THE DUTIES OF THE ARCHIVIST; CITY DEPARTMENT HEADS TO BE RESPONSIBLE; RECORDS COORDINATORS RESPONSIBILITIES; CITY OFFICES TO USE RECORDS SCHEDULES; DEVELOPMENT OF RECORDS RETENTION AND DISPOSITION SCHEDULES; ALLOWING ONE TIME DESTRUCTION OF OBSOLETE RECORDS; DEFINING ARCHIVAL OPERATIONS; PRESERVATION OF PERMANENT RECORDS; NONCURRENT RECORD MAINTENANCE; ESTABLISHING AN DIGITIZING PROGRAM; RECORDS TO BE IMAGED ELECTRONICALLY; ACCESSIBILITY OF ELECTRONIC RECORDS; CREATING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**NOW THEREFORE**, be it ordained by the Mayor and the City Council of the City of Star in Ada and Canyon Counties within the State of Idaho as follows:

**SECTION 1** – Defining Purpose: The purpose of this amendment is to create a records management policy and procedure.

**SECTION 2** – Title 1, Chapter 14 shall now read as follows:

## **CHAPTER 14. RECORDS MANAGEMENT POLICIES AND PROCEDURES**

### **1-14-1. Definition of city records.**

All papers, correspondence, memoranda, accounts, reports, maps, plans, photographs, sound and video recordings, files, microform, electronic imaging, magnetic or paper tape, punched card, electronic mail, also known as e-mail, or other documents, regardless of physical form or characteristic, which have been or shall be created, received, filed, or recorded by any city office or department or its lawful successor, or officials thereof in pursuance of law or ordinance or in the conduct, transaction, or performance of any business, duty, or function of public business, whether or not confidential or restricted in use, are hereby declared to be records of the City of Star, and shall be created, maintained, and disposed of in accordance with the provisions of this chapter or procedures authorized by it and in no other manner. Materials acquired solely for reference, exhibit, or display and stocks of publications shall not constitute records for the purposes of this chapter.

### **1-14-2. City records declared public property.**

All "city records" as defined in section 1-14-1 of this chapter are hereby declared to be property of the City of Star. No city official or employee 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 private use of such records is prohibited.

### **1-14-3. Policy.**

It is hereby declared to be the policy of the City of Star to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all city records through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition. Electronic mail, also known as e-mail, whether created or received, shall be retained for a period of two years and then automatically removed from the city's exchange server. Electronic mail that is related to pending or threatened litigation will be retained until the litigation is concluded or the applicable statute of limitations has

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expired. Electronic mail that is the subject of a "litigation hold" shall be retained for such time as indicated in such "hold". Department directors, and heads of divisions, may designate certain electronic mail as semi-permanent or permanent records and must retain those records in a format and location separate from the exchange server. Periodically the city archivist shall review or examine other filing systems in each department / division, make transfers of records, arrange for disposition of outdated records and otherwise assist city officers in complying with the city records policy.

#### **1-14-4. Records management division established.**

There is hereby established a records management division. The city clerk is responsible for directing the division and coordinating records management operations among the city departments.

#### **1-14-5. Office of archivist established.**

The City Clerk shall designate a City Archivist, who shall be responsible for citywide files management and the direction and control of the city's records management and disposition program.

#### **1-14-6. Duties of archivist.**

The archivist shall have the following duties, and others as assigned by the city clerk:

- A. Plan, formulate, and prescribe basic files management and records disposition policies, systems, and standards and procedures.
- B. Prepare records retention and disposition schedules in cooperation with department heads for all city departments; define and identify vital, historical and/or permanent records; and establish retention periods for all records. Retention periods shall be no shorter than desired by the originating office but shall be as long as deemed necessary by the archivist, city clerk, finance director and city attorney.
- C. Review schedules annually and update or amend as needed.
- D. Coordinate the citywide files management and records disposition programs and report annually to the City Clerk on program effectiveness in each city department.
- E. Provide records management advice and assistance to all city departments, by preparation of a policies and procedures manual and by on-site consultation.
- F. Develop, disseminate, coordinate files maintenance, records disposition procedures, and computer assisted retrieval programs including, but not limited to, those prescribed by this chapter, in order to meet the current and long-term information needs of the city.
- G. Train departmental records coordinators and other personnel in the fundamentals of records management and their duties in the records management programs.
- H. Implement at the proper time such actions as destruction, and transfers that are required by records schedules.
- I. Develop a citywide forms design and control system.
- J. Establish in cooperation with other responsible city officials a disaster plan for each city department and the archivist to ensure maximum availability of records for reestablishing operations quickly and with minimum disruption and expense.
- K. Develop procedures to ensure the preservation of the historically valuable records of the city.

#### **1-14-7. Responsibilities of city department heads.**

All city department heads are responsible for the implementation and operation of effective file operations, records transfers and dispositions, and other activities in accordance with the provisions of this chapter within their areas of responsibility. They shall designate records coordinators within their departments and provide the archivist with the names of such designees.

#### **1-14-8. Responsibilities of records coordinators.**

The records coordinator in each office and/or department is responsible for providing coordination between the archivist and personnel in his or her office to ensure compliance with the provision of this records management

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chapter. This responsibility shall include supervising the application of records schedules within the office or department.

**1-14-9. City offices to use records schedules.**

All city departments shall adopt records retention and disposition schedules and destroy, transfer, or otherwise dispose of records in accordance with policies set forth by the records schedules.

**1-14-10. Development of records retention and disposition schedules.**

Retention periods to be included in records schedules shall be submitted by the archivist to the city clerk, treasurer and city attorney, who shall notify the archivist within ten working days of the approval or of any objection to a retention period. At the expiration of the ten-day period, if no objection has been submitted, the records schedule shall be adopted and shall have full force as sufficient authorization for records destruction or other action. If objection is made, the archivist shall determine a retention period satisfactory to the office or department concerned, to the city clerk, finance director and the city attorney.

When a records retention and disposition schedule is adopted, it shall constitute full authority to transfer, microfilm/image prepare for destruction or take other actions, with respect to city records. The city council hereby directs that such action be taken by the archivist or under his or her supervision. The archivist shall notify in writing the department and the city council of the intended destruction.

**1-14-11. One time destruction of obsolete records.**

Prior to the implementation of the records management program for a department, a one-time destruction of obsolete records of that department may be made by the department, under the supervision of the archivist. Obsolete records shall include those no longer created by the office or department and no longer are needed for administrative, legal, fiscal, or other research purposes.

**1-14-12. Archives.**

The archival operation shall utilize one or more buildings to store inactive records; to ensure the security of such records from deterioration, theft, or damage during the period of storage; to permit fast, efficient retrieval of information from stored records and to provide facilities for a centralized micrographics and/or electronic imaging program.

**1-14-13. Preservation of permanent records.**

The archivist shall develop procedures to ensure the permanent preservation of the historically valuable records of the city. The archivist shall provide housing for such records in a municipal facility and in such manner that the records, unless their use is restricted by law or regulation, are open to the public for research purposes. In no circumstances shall the permanent records of the city be transferred to private individuals, to private historical societies or museums, or to private or public colleges or universities. Permanent physical records not being housed in city offices may be transferred to the Idaho State Archive after appropriate digitization of said records for ease of retrieval only after approved City Council Resolution indicating each record is being transferred.

**1-14-14. Noncurrent records not to be maintained in office files.**

Records no longer required to support current operations of the city shall be transferred to less costly off-site storage at the archives, or be destroyed, when such action is indicated by an approved records schedule. Such records shall not be maintained in active office files or equipment.

**1-14-15. Digitizing program established.**

A centralized digitized program shall be designed and implemented by the archivist to service all city offices and departments.

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**1-14-16. Records to be imaged electronically.**

The archivist shall determine the length of time the various records of the city could be stored before the cost of storage during their retention periods would exceed the cost of preserving them physically. Records determined to be more economically stored electronically imaged and shall include the following types of records:

- A. Those which the archivist determines are of historical value and whose preservation is best ensured by imaging.
- B. Those which, because of the nature of the information they contain, are indispensable to the continued operations of an office and, therefore, should be digitized to provide a secure copy.
- C. Those which, because of high volume retrieval, require frequent and/or large numbers of copies to be made and which could be made more efficiently or economically through electronic image.

**1-14-17. Accessibility electronic records.**

The public is given identical access to digitized records to which they would be entitled under law if the records were in any other medium. A reasonable fee is to be charged for reproduction of physical copies from digitized records.

**SECTION 3 – SEVERABILITY CLAUSE** Should any part or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance in whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 4 – EFFECTIVE DATE** This ordinance shall be in full force and effective from the date of passage, publication and signature of the Mayor according to law.

Passed and adopted by the City of Star Mayor and City Council \_\_\_\_\_

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Trevor A Chadwick, Mayor

ATTEST \_\_\_\_\_

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Jacob M Qualls, City Clerk - Treasurer

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