

Introduced by: Manager Herron
Date: January 22, 2002
Public Hearing: February 12, 2002
Action: Adopted
Vote: Unanimous

CITY OF BETHEL, ALASKA

ORDINANCE #02-05

AN ORDINANCE PROVIDING FOR A COMPREHENSIVE RECORDS MANAGEMENT SYSTEM INCLUDING REGULATIONS FOR MAINTENANCE, RETENTION AND DISPOSAL

WHEREAS the City collects, creates, uses and retains many types of recorded information, and;

WHEREAS it is sound administrative practice that the City devise a systematic plan of inventory and storage of records, and;

WHEREAS certain state and federal laws require the City to retain certain records for specific periods of time, and;

WHEREAS it is desirable that the City adopt a comprehensive system for the collection, management, use, retention and destruction of City records before the volume of these records makes analysis and organization too difficult to achieve.

BE IT ORDAINED by the City Council of Bethel, Alaska, that:

SECTION 1. Classification. This ordinance is permanent in nature and shall be placed in the Bethel Municipal Code.

SECTION 2. That Chapter 2.44 of the Bethel Municipal Code is hereby repealed and reenacted to read:

2.44.010 Purpose. This ordinance is intended to provide the City with a comprehensive system for the creation, acquisition, use, preservation, security, maintenance, transmission, retention, dissemination and disposal of City information contained in any record medium.

2.44.020 Definitions.

A. RECORD. The term record includes all recorded information acquired or stored by the City for future use or preservation, including any document, paper, book, letter, photograph, microfilm, electronic record, map, drawing, chart, card, magnetic media or computer printout.

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B. RECORD SERIES (OR RECORD TYPE). A record series (or type) is any group of identical or related records which are normally used and filed as a unit and which permit evaluation as a unit for retention scheduling purposes. Each record series shall be segregated according to series and the year of acquisition or creation.

C. VITAL RECORDS. Vital records are those records necessary to assure continuance of essential governmental operations to protect the legal and financial operation of the City in the event of disaster or catastrophic loss of the City's records.

E. LEGAL VALUE. A record has legal value if it relates to current or possible legal action by or against the City, and records relating to land, construction, legislative and judicial actions of the City Council, or potential court claims.

E. HISTORICAL VALUE. A record series has historical value if it will be useful at a later date in reconstructing a general history or the development and government of the City.

F. RETENTION SCHEDULE. The retention schedule sets forth the length of time a record type shall be kept. Periods may be assigned for records stages such as on-site (office) retention, off-site (storage) retention, and total retention. Legal citations and related retention periods, if any, may be referenced.

2.44.030 Management of Public Records.

A. The City Clerk shall serve as the City Records Manager and shall have the primary responsibility for the development, maintenance and operation of the City's records management system. Each Department Head shall designate a records coordinator for its department. The records coordinator shall manage the department's records according to adopted procedures and regulations, and maintain the retention schedule. Each Department Head shall provide the name and contact information of its records coordinator in a memorandum to the City Clerk.

B. The Records Manager shall cause an inventory of the City's record types by department for the creation of a records retention schedule. The Records Manager shall create a records disposal form for the documentation of the disposal of City records and create a retention schedule change form. Each department records coordinator shall maintain and abide by the retention schedule for proper retention and disposal of City records. No record shall be destroyed until the Records Manager has signed the records disposal form filled out by the department records coordinator.

C. The Records Manager shall cause records stored in computer memory device systems to be reviewed, stored, and destroyed in the same manner and at the same time as if the records were maintained in written, printed or photographic form.

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D. The Records Manager may conduct random records management inspections in each department to ensure records management and retention regulations are followed in a timely manner.

E. The Records Manager shall develop and provide for a records management procedures and regulations, and for the circulation of such procedures and the retention schedule.

F. The City Council shall adopt by resolution a records retention schedule and any changes to that retention schedule setting forth time schedules for the retention of particular series of records. The Records Manager shall review and update the retention schedule bi-annually. Department records coordinators shall work with the Records Manager to review and update the department's records series and retention schedule bi-annually. Records coordinators shall fill out a retention schedule change form and submit it to the City Clerk for action.

G. The Records Manager shall develop a schedule for the destruction or other disposal of obsolete records at the end of the retention period established for that type of record. The Records Manager shall maintain a permanent log of all record types that have been destroyed, and require department records coordinators to submit a record disposal form prior to record disposal.

H. The Records Manager shall have the authority to provide for microfilming and/or electronic document imaging of records as designated for efficient management of active or inactive records.

I. City Administration shall provide for the physical security of all microfilm, CDs and inactive records. Each department head with the records coordinator shall provide for the security and organization of that department's records and maintain the organization of that department's inactive records in offsite storage.

J. The City Clerk may replace any original record which is lost, worn or damaged by a certified copy of that record and the replacement shall be considered an original record for all purposes.

2.44.040 Regulations. The City Council may adopt regulations to effectuate this ordinance. The City Clerk's office shall submit regulations to the City Council for approval, by a motion, to carry out the proposed purposes as set forth in this ordinance.

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2.44.050 Duties of City Departments. Each department shall establish and maintain a file system in the most organized and efficient manner possible and in compliance with any records management regulations approved by City Council.

2.44.060 Data Collection/Forms Management.

A. The purpose of this section is to provide for an efficient and economic system of coordinating the data collection efforts of each department and to reduce the burden on both citizens and businesses by minimizing the number of forms which each shall be required to complete and return to the City and to minimize forms redundancy with city forms used for interoffice purposes.

B. The Records Manager shall establish regulations to economically combine, simplify or eliminate City forms to the extent possible without compromising administrative efficiency and shall consult with each department head to determine informational needs of each department. The City Clerk shall control the creation and use of forms which members of the general public are required to complete. Forms regulations may be placed in the Bethel Municipal Code.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption.

ENACTED THIS _____ DAY OF _____ 2002, by a vote of 6 in favor and 0 opposed.

Stanley "Tundy" Rodgers, Mayor

ATTEST:

Colleen Soberay, City Clerk