TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: September 12, 2013

SUBJECT: Proposed Adoption Electronic Records Management Policy No. 5-04

SUBMITTING DEPARTMENT: Town Clerk

PREPARED BY: Diane Russell, Town Clerk

AGENDA LOCATION: Comments/Communications ☐, Consent ☐, Work/Study☐,
New Business ☒, Public Hearing ☐, Second Reading ☐

ATTACHMENTS: a) Resolution No. 1853, b) Electronic Records Management Policy No. 5-04

SUMMARY/BACKGROUND: Arizona Revised Statute §41-151.14(D) says "records management" means the creation and implementation of systematic controls for records and information activities from the point where they are created or received through final disposition or archival retention including distribution, use, storage, retrieval, protection and preservation.

Records Managers/Coordinators must "make and maintain records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency designed to furnish information to protect the rights of the state and of persons directly affected by the agency's activities." [ARS 41-151.14(A)(2)] At the local government level, the Town Clerk is typically the Records Manager/Coordinator for the municipality.

For many years those statutes governing retention and disposition were only applied to hard copy or paper records. However, over the years, much of a municipality's daily business is being transacted electronically via email, voicemail, social media sites, websites, spreadsheets, databases, word processing, powerpoint presentations etc.

Arizona Revised Statute §44-7041(a) "Creation; retention; conversion of written records" gives clear direction that,

> "Each governmental agency shall determine if, and the extent to which, the governmental agency will create and retain electronic records and convert written records to electronic records. Any governmental agency that is subject to the management, preservation, determination of value and disposition of records requirements prescribed in §§ 41-151.12, 41-151.13, 41-151.14, 41-151.15, 41-151.16, 41-151.17, 41-151.18 and 41-151.19 and the permanent public records requirements prescribed in § 39-101 shall comply with those requirements**."**

Each municipality that works with electronic media records must provide a means of managing those records just as they do hard copy/paper records. Town staff members from the Legal, IT, HR and Town Clerk's offices have researched and compiled a policy that addresses the state's electronic records requirements as well as meeting the Town's needs.

OPTION ANALYSIS: Council may approve the Resolution adopting the new Town Policy, propose changes to the Policy prior to adoption, or decline to approve the Resolution adopting the new Policy.

ACTION OPTION: Motion to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1853 adopting Town Policy No. 5-04 "Electronic Records Management", **OR** Motion not to approve Resolution No. 1853. **VOTE.**

RECOMMENDATION: Staff recommends authorizing signature of Resolution No. 1853 adopting the Town Policy No. 5-04 establishing uniform procedures for email/electronic records retention and disposal, preserving emailed records in digital/electronic format in Laserfiche, and establishing active email/electronic records retention and disposal policy for the use of, access to and management of email/electronic records

---

FISCAL ANALYSIS: It should be noted that the move to include the new electronic policy may involve a learning curve for the employees of the Town of Prescott Valley and require additional time in their day for the processing of this new form of record. Although many aspects of required retention of electronic documents will likely have a fiscal impact for the Town, staff does not anticipate that adoption of this policy will have a direct, negative fiscal impact in the long run.

REVIEWED BY:

Management Services Director _____ _

Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to _____