

## **RESOLUTION NO. 1763**

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ADOPTING REVISED POLICY NO. 5-01 "RECORDS MANAGEMENT PROGRAM" AND 5-03 "RECORDS RETENTION & DISPOSITION" OF THE TOWN OF PRESCOTT VALLEY POLICIES AND PROCEDURES; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, ARS §41-1345 requires each state and local agency to establish and maintain a records management program, submit retention schedules, and appoint a records coordinator; and

WHEREAS, by Resolution No. 341 (dated April 12, 1990), the Town Council directed the establishment and maintenance of a Records Management Program, appointing the Town Clerk as Records Coordinator; and

WHEREAS, in accordance with ARS §41-1346, the Town first developed a comprehensive records management policy manual in 1993; and

WHEREAS, by Resolution No. 1029 (dated July 26, 2001), the Town Council resolved that a new "Prescott Valley Policies and Procedures Manual" be adopted, which Policies and Procedures Manual consolidated all Town policies (e.g. the Personnel Manual, the Procedures Manual and other manuals) into a single notebook made up of individual, numbered polices on various topics; and

WHEREAS, on November 21, 2002, the Council adopted, through Resolution No. 1134, the Town of Prescott Valley the Records Management Program Policy and Records Retention & Disposition Policy setting forth policies establishing uniform procedures for handling public document requests as required by federal, state and local laws; and

WHEREAS, on February 9, 2006, the Council adopted, through Resolution No. 1407, the updated Town's records management program better distinguishing public records requests from civil case discovery and criminal case disclosure, and clarifying the procedure for redacting non-public, private, confidential, or otherwise protected material that may be included in otherwise public records prior to release of said records;

WHEREAS, Council now wishes to adopt an update to the Records Management Program Policy reflecting Arizona Revised State Statute references and language, adding provisions for the outsourcing of records destruction, adding provisions for electronic/digital reproduction of records as a form of records retention, adopting the updated Arizona State Library Archives and Public Records.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA:

1. That the revised Policy No. 5-01 "Records Management Program" of the Town of Prescott Valley Policies and Procedures Manual, dated September 22, 2011 and attached hereto and expressly made a part hereof, be hereby adopted.
2. That the revised Policy No. 5-03 "Records Retention & Disposition" of the Town of Prescott Valley Policies and Procedures Manual, dated September 22, 2011 and attached hereto and expressly made a part hereof, be hereby adopted.
3. That, in the event any policies adopted herein are found to be in conflict with duly-adopted Federal statutes or regulations, Arizona statutes or regulations, or Prescott Valley codes or regulations, such statutes, codes or regulations shall apply.
4. That, if any provision in this Resolution is held invalid by a court of competent jurisdiction, the remaining provisions shall not be affected, but shall continue in full force and effect.
5. That this Resolution shall be effective after its passage and approval according to law.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 22<sup>nd</sup> day of September 2011.

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Harvey C. Skoog, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney