

## Chapter 1-23

### RECORDS MANAGEMENT POLICIES AND PROCEDURES

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#### Section 1-23-01 DEFINITION OF CITY RECORDS

All papers, correspondence, memoranda, accounts, reports, maps, plans, photographs, sound and video recordings, files, microform, magnetic or paper tape, punched card, 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 Boise City, and shall be created, maintained, and disposed of in accordance with the provisions of this ordinance 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 purposes of this ordinance.

#### Section 1-23-02 CITY RECORDS DECLARED PUBLIC PROPERTY

All City records as defined in 1-23-01 of this Chapter, are hereby declared to be property of the City of Boise City. 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.

#### Section 1-23-03 POLICY

It is hereby declared to be the policy of the City of Boise City 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.

A. Periodically the City Clerk or their designee shall review or examine filing systems in each department/division, make transfers of records, arrange for disposition of outdated records and otherwise assist city officers in complying with the city records policy.

(5303, 04/ 09/1991)

B. Two copies of each final city report and study reproduced in Central Services is to be mailed to the Records Management Division for depositing at the City Record Center.

(5303, 04/09/1991)

#### **Section 1-23-04 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.

#### **Section 1-23-05 CITY CLERK'S DESIGNEE**

The City Clerk shall name a designee, who shall administer the Records Management Division and shall be responsible for City-wide files management and the direction and control of the City's records disposition program.

#### **Section 1-23-06 DUTIES OF CITY CLERK'S DESIGNEE**

The City Clerk's Designee 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, 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 City Clerk and City Attorney.

C. Review schedules annually and update or amend as needed.

D. Coordinate the City-wide 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 ordinance, 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 program.

- H. Implement at the proper time such actions as destruction, and transfers that are required by records schedules.
- I. Establish and monitor compliance with standards for filing and storage equipment in all City departments.
- J. Suggest departmental changes to enable management to realize the greatest efficiency and effectiveness in their Records Management programs.
- K. Establish, in cooperation with other responsible City officials, a disaster plan for each City department and the Archives to ensure maximum availability of records for re-establishing operations quickly and with minimum disruption and expense.
- L. Develop procedures to ensure the preservation of the historically valuable records of the City.

**Section 1-23-07 RESPONSIBILITIES OF CITY DEPARTMENTS 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 ordinance within their areas of responsibility. They shall designate records coordinators within their departments and provide the City Clerk’s Designee the names of such designees.

**Section 1-23-08 RESPONSIBILITIES OF RECORDS COORDINATORS**

The records coordinator in each office and/or department is responsible for providing coordination between the City Clerk’s Designee and personnel in his or her office to ensure compliance with the provisions of this Records Management ordinance. This responsibility shall include supervising the application of records schedules within the office or department.

**Section 1-23-09 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.

**Section 1-23-10 DEVELOPMENT OF RECORDS RETENTION AND DISPOSITION SCHEDULES**

Retention periods to be included in records schedules shall be submitted by the City Clerk’s Designee to the City Attorney, who shall notify the City Clerk’s Designee 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 by resolution and shall have full force as sufficient authorization for records destruction or other action. If objection is made, the City Clerk’s Designee shall determine a retention period satisfactory to the office or department concerned, and the City Attorney.

When a records retention and disposition schedule is adopted by resolution, it shall thenceforth 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 City Clerk’s Designee or under his or her supervision. The City Clerk Designee shall notify in writing the department, State

Historical Society, and the City Council of intended destruction, as required by law.

**Section 1-23-11 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 City Clerk's Designee. Prior to such destruction the City Clerk's Designee shall submit lists of records to be destroyed to the City Clerk and City Attorney, who shall give notice within ten working days of any records they believe should not be destroyed, and such records shall be retained for a period suggested by them. The City Clerk's Designee shall also submit notice as required by law to the State Historical Society and the City Council. 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.

**Section 1-23-12 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; and to permit fast, efficient retrieval of information from stored records.

**Section 1-23-13 PRESERVATION OF PERMANENT RECORDS**

The City Clerk's Designee shall develop procedures to ensure the permanent preservation of the historically valuable records of the City. The City Clerk's Designee 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.

**Section 1-23-14 NON-CURRENT 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, 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.

**Section 1-23-15 RECORDS USING PHOTOGRAPHIC AND DIGITAL MEDIA**

- A. Boise City may reproduce and retain documents in a photographic, digital or other non-paper medium. The medium in which a document is retained shall accurately reproduce the document in paper form during the period for which the document must be retained and shall preclude unauthorized alteration of the document.
- B. If the medium chosen for retention is photographic, all film used must meet the quality standards of the American National Standards Institute (ANSI).
- C. If the medium chosen for retention is digital, the medium must provide for reproduction on paper at a resolution of at least two hundred (200) dots per inch.
- D. A document retained by the City in any form or medium permitted under this section shall be deemed an original public record for all purposes. A reproduction or copy of such a document,

certified by the City Clerk, shall be deemed to be a transcript or certified copy of the original and shall be admissible before any court or administrative hearing.

- E. Once a paper document is retained in a non-paper medium as authorized by this section, the original paper document may be disposed of or returned to the sender, except in the case of permanent records, as defined in section 50-907, Idaho Code. Paper originals of permanent records shall be retained by the City in perpetuity, or may be transferred to the Idaho State Historical Society's permanent records repository upon resolution of the City Council.

**Section 1-23-16 ACCESSIBILITY OF RECORDS ON MICROFILM OR DIGITAL MEDIA**

The public is hereby given identical access to records on microfilm, or digital media 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 official or unofficial copies from records on microfilm or digital media.  
(5050, 12/01/1987)

**Section 1-23-17 PUBLIC DISCLOSURE OF LICENSING RECORDS**

- A. Except as provided in paragraph B., the Boise City Clerk, or her/his designee is authorized to release or disclose to parties other than those to whom the record pertains all information received by or retained by the City Clerk's Office including names, addresses and criminal records (other than N.C.I.C. reports and Ada County Arrest/Non-Arrest records) of applicants, licensees, child care operators, child care workers, child care volunteers, and juvenile child care workers, a child care facility's owners, officers and chief agents, if any, and persons residing in a child care facility.
- B. The Boise City Clerk, or her/his designee shall not disclose or release the following:
  - 1. Any personal information, including but not limited to parentage, race, religion, sex, height, weight, tax identification number, social security number, financial worth or medical condition;
  - 2. Reports and correspondence received from the Idaho Department of Health and Welfare or a similar agency of another state relating to child protection matters;
  - 3. Complaints, reports and records concerning incidents which the City Clerk's Office verifies are unfounded or unsubstantiated or do not fall within the purview of duties assigned the City Clerk's Office by ordinance;
  - 4. Investigatory records of a law enforcement agency, as required by Idaho Code Section 74-124.
- C. The City Clerk, or her/his designee, may require that requests for information contained in the records of the City Clerk's Office be made in writing, may require the name and address of the requesting party and may rely on requests submitted by facsimile transmission. All such written requests shall be retained and are subject to disclosure under the Idaho Public Records Act upon proper request.

(Ord-31-15, Amended 7/28/2015; 6715, Amended, 06/09/2009; 5640, Enacted, 06/27/1995)