

CITY OF OAKLAND



ADMINISTRATIVE INSTRUCTION

SUBJECT	City-wide Records Management Program	NUMBER	141
REFERENCE	<ul style="list-style-type: none">• Ordinance 11370 C.M.S., adopted September 23, 1991• Resolution 77659 C.M.S., adopted February 25, 2003	EFFECTIVE	February 27, 2008
SUPERSEDE	None		

I. PURPOSE

The purpose of this Administrative Instruction is to establish administrative policy and clarify the City of Oakland's responsibilities to ensure compliance with the City of Oakland's Records Management Program for all City of Oakland paper records.

II. POLICY

Ordinance 11370 C.M.S., adopted September 23, 1991, established a Citywide Records Management Program, including a records retention program.

Resolution 77659 C.M.S. adopted on February 25, 2003, established the *Records Retention Schedule* for Paper Records, in conjunction with the implementation of the City-Wide Records Management Program.

III. DEFINITIONS

Term

City Agencies

Definition

Any agency, department, office, unit, division, committee, board, or commission created under the authority of the City Charter, City Council or Office of the Mayor.

Records

Any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

Records Management Committee (RMC)

Members of the Records Management Committee are representatives from each City Agency, the Office of the City Clerk, Office of the City Administrator, the Executive Director of the Public Ethics Commission and, at the City Administrator's discretion, any additional appointees.

IV. PROCEDURES**Records Retention Schedule for Paper Records**

<u>Responsible Party</u>	<u>Action</u>
City Agencies	<ol style="list-style-type: none"> 1. Shall print and file all writings relative to their departments function which are produced, received, owned or used by their agency that are required to be kept by law or contain administrative, fiscal, legal, or historical value to the City. 2. Must retain and preserve all documents in accordance with the current records retention schedule in effect. 3. Any agency maintaining any records in any of the functional/file categories on the retention schedule is accountable for providing access to those records when requested. 4. Must regularly review their retention schedules and submit proposed changes with referenced governing codes to the Office of the City Clerk for processing and presentation to the Records Management Committee.
Office of the City Clerk, Records Management Division	<ol style="list-style-type: none"> 5. Must verify proposed amendments to retention schedules and present the information to the Records Management Committee for review and approval. 6. Forward proposed changes to the Retention Schedule approved by the Records Management Committee to the City Attorney and City Auditor for review and approval prior to presentation to the City Council. 7. Must prepare and present a report and the approved amended Retention Schedule to the City Council for consideration and approval.
City Attorney & City Auditor	<ol style="list-style-type: none"> 8. Have authority to suspend the retention schedule period on any records that are or will be subject to investigation, litigation, or audit.
City Council	<ol style="list-style-type: none"> 9. Must approve changes to the City of Oakland' Retention Schedule forwarded from the Records Management Committee.

Records Storage Facilities

<u>Responsibility</u>	<u>Task</u>
City agencies	<ol style="list-style-type: none"> 1. Should store their inactive records in the City's commercial offsite storage facility. 2. Should an agency wish to store its records in a storage facility other than the City's designated offsite storage facility, the agency MUST receive approval from the Records Management Committee by providing documentation justifying the need for a separate offsite storage facility choice and certification that the facility being used meets the minimum environmental requirements for storing paper records.


Office of the City Clerk, Records Management Division	3. Must maintain the Master Inventory for all records located in the offsite storage facility.
	4. Must manage the offsite storage facility contract and develop appropriate records transfer procedures for efficient Agency application.
RMC	5. Must approve all storage facilities including facilities other than the City's primary offsite storage facility used by City agencies to store inactive records.

Records Destruction

<u>Responsibility</u>	<u>Task</u>
City Agencies	1. Must submit a destruction procedure for approval by the RMC if the agency wants to destroy their records or are using a facility other than the City's designated offsite storage facility for records destruction.
Office of the City Clerk, Records Management Division	2. Must process all destruction requests for review and approval by the Records Management Committee to include verification of destruction dates listed on the Master Inventory, estimated destruction costs, and verification of special destruction requirements (i.e., shredding of personal or legal records).
	3. Must present destruction requests approved by Records Management Committee to the City Attorney and City Auditor for review and approval.
	4. Must destroy records only after the retention period has expired, and only with the approval of the Records Management Committee, City Auditor, City Attorney and City Council.
	5. Must maintain and archive all records pertinent to the approved destruction of records.
RMC	6. Must approve all proposed records destruction requests before presentation to the City Council.
City Attorney & City Auditor	7. Have Authority to halt destruction of expired records that are, or will be subject to investigation, litigation or audit.
City Council	8. Must approve by resolution all records destruction.

V. ADDITIONAL INFORMATION

Agencies storing some records locally must still adhere to the records retention and destruction policies as identified by the City Clerk and RMC. Each Agency or Department must designate Records Coordinators, as necessary, to ensure proper records requirements for their agency's records in accordance with this policy and applicable local and state laws. Violation of this Administrative Instruction and other Records Management procedures must be reported to the appropriate authorities to include the City Administrator, City Clerk, Agency Directors and the RMC. For information contact, Office of the City Clerk, Records Management Division at 238- 3612.


DEBORAH A. EDGERLY
City Administrator

ORDINANCE No. 11370 C. M. S.**ORDINANCE ESTABLISHING A
CITY-WIDE RECORDS MANAGEMENT PROGRAM**

WHEREAS, the City of Oakland recognizes the public need to establish a records management program that is centralized, professional, cost effective, preserves vital and historical City records, and guarantees its citizens access to public records of the City; and

WHEREAS, the City Charter identifies the City Clerk as the custodian of official City records; and

WHEREAS, during the course of City business records are received or created by City agencies; and

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION I. Purpose

The purpose of this ordinance is to provide for efficient and economical management policies for the collection, creation, utilization, maintenance, retention, storage, preservation, and disposal of City records through the establishment of a City-wide records management program.

SECTION II. Definitions

A. City record - all books, papers, letters, documents, publications, maps, plans, photographs, sound recordings, automated systems, or other documentary materials, regardless of format or characteristics, made or received and retained by any office, person, or agent of the City of Oakland in connection with the transaction of city business. This definition does not include preliminary drafts or personal notes made, received, or retained unless otherwise required by the situation or as directed by the City Manager or the City Council.

B. Record series - a group or system of City records which may be treated as a unit for the purpose of description, management, retention, inventory, and disposition.

C. Staff person - anyone employed by City of Oakland whether in a full-time status, a part-time status, a temporary status, or in a voluntary status.

D. Agent - individual or organization authorized by the City

of Oakland to conduct business with the City, perform duties for the City, or provide services for the City.

E. Retention schedule - a timetable that specifies the period of time a record series must be kept in active and inactive status before final disposition. The relationship between a retention schedule and a records series is that a retention schedule is a list by records series delineating what to do with each chronological generation of records series.

F. Vital record - information required to be maintained by federal, state, or local laws, rules, or regulations or which the City Manager or the City Council deem to be essential to the continued operation of the City, to the protection of the rights and privileges of the City, its staff, its citizens, or which if lost could impose extreme financial hardship upon the City.

G. Microimaging - a technical art of capturing, producing and reproducing records in miniature/electronic form which is used as a tool to achieve records management goals.

H. Forms management - the application of system analysis methods to the design and use of forms as well as control of the publication, distribution, and classification of forms.

I. Files management - the logical and physical arrangement of records series that facilitates efficient storage, retrieval, retention, and disposition of City records.

J. Records Manager - the staff person delegated the responsibility for developing, implementing, and maintaining the City records management program.

K. City Agency - any department, office, committee, board, or commission created under the authority of the City Charter.

L. Inactive records - records whose reference rate drops to less than two times per file drawer per month.

M. Disposition - the actions taken in the management of records after the retention period has elapsed.

N. Department Management - the senior managers or their designees in each major administrative subdivision of the City.

SECTION III. POLICIES

A. The records management program shall consist of the following elements:

- retention scheduling;
- vital records management;
- microimaging;
- forms management; and,

-files management.

B. That the City Records Management Committee established under Administrative Instruction 114, May 1988, shall review all proposed records management policies and make recommendations to the City Manager for adoption as administrative instructions.

C. That the City Records Management Committee shall review all retention schedules and submit them to the City Manager for forwarding to the City Council for approval as a resolution.

D. That a City Records Manager shall be appointed by the City Clerk and Clerk of the Council and a Records Management Division established which shall be responsible for the management of the City-wide Records Management Program.

SECTION IV. Responsibilities of the Records Management Division

A. Establish and maintain a Records Center for the centralized storage, protection, and retrieval of inactive and historical records. —

B. Completion of a records series inventory of all City records. —

C. Completion and maintenance of a Records Retention Schedule for each record keeping system maintained by the City. —

D. Provide assistance to City departments in the replacement or improvement of record keeping management systems. —

E. Establish, maintain, and operate a City microimaging or optical scanning program in accordance with the minimum quality control standards of the American National Standards Institute or the Association of Information and Image Management. —

F. Administer a centralized forms management program.

G. Keep historical City records in such a condition that shall permit them to be inspected, examined, or copied by City staff or the general public unless access is restricted by policy, ordinance, statute, or administrative instruction.

H. Provide staff support to the City Records Management Committee.

I. Identify and protect the City's vital records.

J. Train all department records coordinators in records management procedures. —

SECTION V. Responsibilities of Department Management

A. Ensure compliance with established City records management procedures.

B. Assist the records management staff in the completion and maintenance of a records series inventory, a vital records master list, and a forms register.

C. Coordinate the maintenance, retention, and disposition of all City records in the department's custody in accordance with the instructions outlined in the department's retention schedule.

D. Each City department shall appoint a records coordinator who will act as department liaison with the Records Management Division to assist with the implementation of records management procedures for the department.

SECTION VI. Unless otherwise directed or specified by Department Management, records of any office or agent of the City shall, upon termination of the office's function or agent's contractual obligations, be transferred to the custody of the City Records Center.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 24 1991, 19 _____

PASSED BY THE FOLLOWING VOTE:

AYES— BAZILE, CANNON, GIBSON HASKELL, MILEY, MOORE, OGAWA, RILES, SPEES, and PRESIDENT HARRIS ; - 9

NOES— NONE

ABSENT— NONE

ABSTENTION— NONE



ATTEST: _____

ARRECE JAMESON

City Clerk and Clerk of the Council
of the City of Oakland, California