

	CITY OF PALM DESERT ADMINISTRATIVE PROCEDURES	
	<i>Subject</i>	Citywide Records Management Policy
	<i>Policy No.</i>	CLRK-001 Amendment 1
	<i>Date</i>	Issued: August 25, 2022 Amended: June 12, 2025
	<i>Approved by</i>	Resolution No. 2025-
	<i>Authored by</i>	Office of the City Clerk

I. PURPOSE

The purpose of records management is to ensure that information is available when it is needed. To do this efficiently and thoroughly, records must be identified, organized, maintained for the requisite number of years, and then documented when destroyed. Records management encompasses all the record-keeping requirements that allow an organization to establish and maintain control over information flow and administrative operations, seeking to control and manage records through the entirety of their life cycle, from creation to final disposition.

A sound records management program doesn't cost—it pays. It pays by improving customer service, increasing staff efficiency, allocating scarce resources, and providing a legal foundation for how an agency conducts its daily mission. It helps identify and justify opportunities for new technology. Microfilm, optical disk, optical character recognition, workflow, e-mail, and other related technologies cannot be adequately evaluated and cost-justified without a good records management program. Other benefits include:

- Providing public access to and protecting the public's rights to inspect public records in accordance with the California Public Records Act;
- Preservation of records with long-term or permanent value;
- Protection of records vital to City government in the event of a disaster;
- Protection of records essential to City government, but which are referenced infrequently;
- Demonstration of compliance with legal retention requirements established by federal, state, and local authorities;
- Orderly destruction of records no longer required by statute to be retained or needed for reference;
- Elimination of duplicate records filed in several departments;
- Ensuring proper administration of records not subject to disclosure;
- Providing protection in litigation, audits, and other disputes;
- Saving space; and
- Increased efficiency in information retrieval.

A good records management program establishes policies and procedures for the efficient and economical management of the creation, utilization, maintenance, retention, preservation, and disposal of City records, based on federal and state statutes governing public records and ensures that a responsible program of records management is practiced within the City organization.

II. DEFINITIONS

1. **Public Record:** Any writing containing information relating to the conduct of the City's business prepared, owned, used, or retained by the City regardless of physical form or characteristics.
2. **Active Record:** Records kept in the office and referenced on a regular basis.
3. **Archives:** A repository for housing historical records (whether in paper, microfilm, or digital) that should be protected or preserved.
4. **Disposition:** The length of time a record is kept, which may be permanent.
5. **Historical Record:** The retention of records that have enduring value because they reflect significant historical events or document the history and development of the City.
6. **Inactive Record:** Any public record transferred to a records center for storage until disposition is reached.
7. **Non-Record:** Materials that are not retained in the normal course of business, such as records that contain no information of significant or lasting value such as transmittal letters, acknowledgments, drafts, rough notes, and calculations created and used in the preparation or analysis of other documents.
8. **Records Management:** The systematic control of the creation, processing, use, protection, storage, and final disposition of all public records pursuant to federal, state, and local laws and regulations.
9. **Records Retention Schedule:** The document identifying the length of time a record is maintained, including disposition.
10. **Transitory Records:** Records whose value is comparatively short-lived should be discarded when they have fulfilled the purpose for which they were created. Examples: 1) copies of reproduced/printed material of general information; 2) originals/copies of documents kept solely for tickler, suspense, or follow-up; 3) preliminary work materials used for the preparation of reports, studies, etc.; 4) duplicates/extra copies of records; and 6) appointment logs/calendars.
11. **Vital Record:** Records with information essential for the resumption of operation after a disaster or the reestablishment of the legal and financial status of the organization.

12. Redaction: The removal or obscuring of specific content within a document to prevent its disclosure.

13. Sensitive Personal Identifying Information (Sensitive PII): A subset of personal information that, if disclosed, could result in significant harm to an individual, such as identity theft or financial fraud. Sensitive PII includes, but is not limited to:

- Social Security numbers
- Driver's license or state-issued identification numbers
- Taxpayer identification numbers
- Passport numbers (U.S. or foreign)
- Financial account information (e.g., credit card or bank account numbers)

Sensitive PII does **not** include general personal information such as names, addresses, phone numbers, email addresses, or IP addresses.

III. OWNERSHIP OF PUBLIC RECORDS

All public records are the property of the City and shall be delivered by outgoing officials and employees to their successors. Public records are to be maintained in active file areas or in a designated records center.

IV. RECORD-KEEPING RESPONSIBILITIES

City Council

The policies for the keeping, producing, permitting copies, and management of all public records of the City shall rest with the City Council.

Officers and Employees

Each officer and employee of the City has the duty to protect, preserve, store, transfer, destroy or otherwise dispose of, use, and manage public records in accordance with applicable federal and state regulations, or such rules as may be approved by the City Council.

City Attorney

The duty of the City Attorney shall be to review and consent to requests to dispose of records in accordance with the City's adopted Records Retention Schedule; and to provide legal guidance to the City Clerk in any review of, and amendment, to the retention schedule, in accordance with federal, state, and local regulations.

City Clerk

The City Clerk is designated as the City's Records Manager and as such is the City's official custodian of records.

The City Clerk may, for the proper and efficient management of the public records:

1. Develop and circulate instructions necessary and proper to implement the Records Management Program.
2. Advise and assist City departments in the preparation of records inventories,

retention periods, and make recommendations to the City Attorney.

3. Maintain archives to protect records of historic nature, which should not be destroyed.

In accordance with the California Public Records Act (Government Code § 7920.000 et seq.), the City designates the Office of the City Clerk as the official recipient of public records requests. The statutory time period for responding to such requests shall begin on the business day the request is actually received by the Office of the City Clerk, regardless of whether the request was initially submitted to another City department or official.

City Department Director

Each City Department Director shall establish and maintain an active, continuing program for the economical and efficient management of the public records of that department in accordance with this Policy. Such program shall, among other things, provide for:

1. Effective controls over the creation, maintenance, and use of public records in the conduct of business.
2. The maintenance and security of records deemed appropriate for preservation.
3. Segregation and disposal of records of temporary value in accordance with the established retention schedule and this policy.

V. HANDLING DOCUMENTS FROM INCEPTION TO DESTRUCTION

Creating Files

Department personnel is advised to begin new files with an eye to the future disposition of the file being created. For example, by knowing that the information/materials contained within a new file will be retained for a specific number of years, it would be prudent to create the file on a calendar year or perhaps fiscal year basis. Planning ahead avoids separating files later when it comes time for storage or destruction. Also, reviewing the department's retention schedule beforehand can avoid the necessity and time-consuming activity of separating permanent information/documents from short-term materials prior to the time of destruction.

Converting Hard Copy to Electronic Formats

Government Code Section 34090.5 authorizes the conversion of hard copy materials and records onto other electronic mediums if the following conditions are met:

1. The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded video images, recorded in electronic data processing system, recorded on an optical disk, or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document.
2. The device or method used to reproduce the record, paper, or document reproduces the original in all details and does not permit additions, deletions, or changes to the original document images.
3. The reproductions are made accessible for public reference as the original records were.
4. A true copy of the film, optical disk, or any other medium reproductions shall be kept in a safe and separate place for security purposes.

If the above conditions are met, subject to system verification by the City Clerk, the public official having custody of the records (Department Director) may convert the hard copy to a permissible electronic format and dispose of the original hard copy.

VI. ELECTRONIC MAIL RETENTION

The City's email system is intended to be a medium of communication. The email system is not intended to be and may not be used for the electronic storage or maintenance of City records. The email system, to function as intended, anticipates and requires that employees regularly delete communications from the system.

Routine email messages comparable to telephonic communications are non-records. They are not intended to be retained in the ordinary course of City business, and the informational content of such communications is neither necessary nor intended to be preserved for future City-use or reference. For file management and storage purposes, email messages that are non-records or transitory documents should only be retained for as long as needed, but no longer than three years. In most instances, this means deleting messages as soon as you have read them, and shortly after you have sent them.

However, depending on its purpose and record type, some email messages are subject to longer retention periods based on adopted retention schedules. In this case, email messages should be stored outside of the email system, either by saving them to the appropriate network drive and folder; or by printing hard copies of the message and filing them in an appropriate hard copy file.

An email is considered destroyed as soon as it has been deleted from a user's mailbox, even though it is temporarily stored in the trash folder before being purged from the email system. This action is analogous to throwing a paper document into an office trashcan.

The Information Systems department is authorized to oversee and execute the automated deletion of emails that have exceeded the retention periods defined in the Citywide Retention Schedule. This ensures compliance with retention policies and follows best practices for data security and records management.

External Personal/Business Email Accounts

City officers and employees that receive City-business related emails through personal/business email accounts shall store and retain such emails in accordance with this policy and provide responsive records when requested by the City Clerk's Office pursuant to a Public Records Act request, Human Resources investigation, or subpoena.

VII. DISASTER PREVENTION AND STORAGE OF INACTIVE RECORDS

To ensure that records are protected from natural and man-made disasters and neglect, the public official having custody of the records (Department Director) shall be responsible to ensure that all reasonable efforts are taken to prevent damage to said records. While temporary on-site storage of inactive records may be appropriate, all efforts should be taken to avoid storing records near water pipes, air conditioning units, heat sources, direct sunlight, or directly on the floor. The public official having custody of the records

(Department Director) shall be responsible for preparing an accurate inventory of records to be transferred to an off-site record center.

If records are damaged, records should be assessed and reasonable recovery procedures should be performed. Unrecoverable records (such as records damaged with mold) may be disposed of immediately. Unrecoverable and disposed records shall be reported to the City Clerk's Office and a final disposition report shall be distributed to the City Council for notification purposes.

VIII. DISPOSITION OF PUBLIC RECORDS

At least annually, each Department is responsible for reviewing all records in its custody. Records that have reached the end of their retention period are to be destroyed pursuant to the Destruction of Public Records section of this manual. Electronic versions of those records must also be deleted at the same time.

The City Council, by adopting the Records Retention Schedule, authorizes City Department Directors to destroy duplicate records less than two years old if the records are no longer required in accordance with adopted retention schedules.

All original records to be destroyed must be inventoried. Requests for the destruction of original records must receive consent to the destruction by the City Clerk and City Attorney and approval by the City Council prior to destruction. Original requests for Authority to Destroy Obsolete Records (Sample 1) shall be filed with the City Clerk's Office.

Note: Once authority has been received to destroy records, all forms of that record must be destroyed (or deleted): paper, microfilm/fiche, electronic format.

This section does not authorize the destruction of the following original records:

1. Records affecting the title to real property or liens.
2. Records required to be kept by statute.
3. Records less than two years old.
4. Minutes, ordinances, or resolutions of the City Council or of a City Board, Commission, or Committee.

The City has identified that shredding and recycling paper produced from the destruction of these records is the most appropriate method of disposal. Accordingly, although the specific method used for destruction shall be at the discretion of the Department Director, it shall reflect a method of destruction that recycles any paper products and avoids the use of sanitary landfill sites.

Following the completion of the destruction of obsolete records, the department liaison is responsible for conducting a quality check and audit to verify that only authorized records were destroyed. This includes properly routing the Affidavit of Destruction, which serves as the official certificate of destruction.

IX. PRESERVATION OF PERMANENT/HISTORICAL RECORDS

A fundamental obligation of the City is to care for records with historical significance. Such records typically have enduring administrative, fiscal, legal, or historical value, or are otherwise required to be maintained permanently by statute. Examples include minutes, resolutions, and ordinances of the City Council and City Boards, Commissions, and Committees. When a record is being evaluated for final disposition, City staff should take into consideration the historical relevance of the record. It is encouraged that records that have been identified as permanent and/or historical be transferred to the designated off-site records storage facility. When appropriate, permanent records may be converted and retained in electronic format pursuant to Section 5 of this policy.

X. REDACTION OF SENSITIVE PERSONAL IDENTIFYING INFORMATION

Redactions should be made only when legally required or when disclosure would constitute an unwarranted invasion of privacy without corresponding benefit. The release or redaction of sensitive personal identifying information shall be at the discretion of the City Clerk in consultation with the City Attorney.

Pursuant to the California Public Records Act (Government Code §7920.000 *et seq*), certain sensitive personal information may be exempt from public disclosure. Personal identifying information that may be considered for redaction includes:

1. Social Security Number
2. Driver's License Number
3. State Identification Number
4. Taxpayer Identification Number
5. U.S. or Foreign Passport Number
6. Credit Card, Bank Accounts, or other financial account information.

Other personal information should generally remain public unless a specific exemption applies under the California Public Records Act (Government Code §7920.000 *et seq*). The following personal information will not be redacted unless required by law or at the discretion of the City Clerk in consultation with the City Attorney:

1. First and Last Name
2. Personal telephone and/or cell phone number
3. Personal residence street address
4. Personal e-mail address

Sample 1 – Request to Destroy Obsolete Records

**CITY OF PALM DESERT
AUTHORITY TO DESTROY OBSOLETE RECORDS/
CERTIFICATE OF DESTRUCTION**

Dept.	Retention No.	Description of Record	Years Covered	Retention Period	Shred or Discard

I consent to the destruction of these obsolete records according to accepted policies and procedures.

Records Liaison Date

City Clerk Date

City Attorney Date

Approved by City Council: XX/XX/XXXX

AFFIDAVIT OF DESTRUCTION

I hereby certify that the records described above have been destroyed.

Records Liaison Date Records Coordinator Date

Original: City Clerk's Office
Copy: Department

Sample 2 – Conversion to Electronic Records

MEMORANDUM

DATE XX/XX/XX

TO: City Clerk

FROM: Department Director

SUBJECT: CONVERSION OF HARD COPY TO ELECTRONIC RECORDS

In accordance with the City's Records Management Policy, certain records have been identified as being eligible for conversion from hard copy to electronic copy and will be maintained with a trusted system as described in the California Secretary of State Guidelines for Trustworthy Electronic Document or Records Preservation Standards.

Record Titles to be eligible for electronic retention:*Example:*

Payroll

- Payroll Charges
- Payroll Reports
- Time Sheets

Please sign below indicating that the record titles are appropriate for electronic retention and the retention system meets the requirements of the records retention policy.

Department Director Date

City Clerk Date**Original: City Clerk's Office**

Copy: Department

XI.