

# Duplicate Numbered Resolution

CITY OF GUSTAVUS, ALASKA  
RESOLUTION 2014-03

## A RESOLUTION OF THE CITY OF GUSTAVUS ADOPTING POLICY AND PROCEDURES FOR PUBLIC RECORDS MAINTENANCE

**WHEREAS**, The City of Gustavus generates numerous documents, files, correspondences, e-mails, and memorialization's and,

**WHEREAS**, Gustavus Municipal Code 2.70.030 requires the Mayor to approve a records retention schedule that details the types of records that will be retained and the period of time for which they will be retained,

**NOW THEREFORE BE IT RESOLVED:** The Gustavus City Council adopts this Policy and Procedure for Public Records Maintenance which includes a Records Retention Schedule, a Conversation Record, a Request for Public Records and a Certificate of Records Destruction, attached to and made a part of this resolution.

**PASSED and APPROVED** by the Gustavus City Council this 17th day of October, 2013.

  
\_\_\_\_\_  
Sandi Marchbanks, Mayor

*via teleconference*  
\_\_\_\_\_  
Tim Sunday, Council Member

*AP Hawley*  
\_\_\_\_\_  
Phil Hawley, Council Member

\_\_\_\_\_  
Seat D, **Vacant**

*via teleconference*  
\_\_\_\_\_  
Lori Trummer, Vice Mayor

*Morgan DeBoer*  
\_\_\_\_\_  
Morgan DeBoer, Council Member

*Jeff Irwin*  
\_\_\_\_\_  
Jeff Irwin, Council Member

*Marevaag*  
\_\_\_\_\_  
Attest: Noël Farevaag, City Clerk

# Duplicate Numbered Resolution

**2014-03 Public Records Maintenance**  
**Adopted for Publication: 09/12/2013**  
**Adopted for Public Hearing: 10/17/2013**

# City of Gustavus

## Policy and Procedure for Public Records Management

### Overview:

The City of Gustavus, during the course of conducting its everyday business, generates numerous documents, files, correspondences, e-mails, memorialization and the like. Some of these materials constitute an important public and historical record and should be retained, while others are of a more transitory nature and are of value only until they have served their immediate purpose. As a body, they represent a record of the activities of the City and provide a fundamental method for the public to understand, appreciate, challenge or otherwise interact with the process of governance.

It is the purpose of this policy to establish definitions of various categories of public records as they relate to the City of Gustavus, recommend methods for how they are created and stored, establish a set of rules on how the public can access them, and set forth a schedule and process whereby those records are retained and/or disposed of.

### Definitions and General Rules:

*What is the definition of 'public records'?* State law answers the question 'what is a record?' for all municipal governments in Alaska in AS 40.25.100-.220. AS 40.25.220(3) defines them as "books, papers, files, accounts, writings, including drafts and memorialization of conversations, and other items, regardless of format or physical characteristics, that are developed or received by a public agency, or by a private contractor for a public agency, and that are preserved for their informational value or as evidence of the organization or operation of the public agency."

*Who has access to public records?* As a general rule, "Unless specifically provided otherwise, the public records of all public agencies are open to inspection by the public under reasonable rules during regular office hours" See AS 40.25.110(a). This statute assumes that virtually all records are public and subject to inspection, with certain limited exceptions. And as the clause implies, it is up to the City of Gustavus to establish 'reasonable rules' for the public access to those records.

*What is a records retention schedule?* As any citizen might suppose, retaining the entire "storm of paper" that emanates from City Hall is an impossible task, and with the advent of e-mail, the task is compounded. It is incumbent upon the City of Gustavus to develop a records plan and retention schedule to manage this situation.

*What would be considered a non-record?* Documents or materials that do not set policy, establish guidelines or procedures, certify a transaction, become a receipt or indicate the business process of the City. A non-record tends to be informational by nature, short-lived, with no historical significance, does not show evidence of the organization or operation, and does not need to be retained after it has served its purpose. Examples include:

- Routing requests for information or publication, which require no administrative action, policy, decision or special compilation or research, and copies of replies;

- Letters of transmittal that do not add any information to that contained in the transmitted material;
- Quasi-official notices including memoranda and other records that do not serve as the basis of official actions (i.e., holiday notices, meeting information, etc.)

*When can a public record be withheld?* A record may be withheld from public disclosure only if a legal exception that authorizes withholding access can be identified. Exceptions are set out in State statute or established through court decisions and generally pertain to issues of confidentiality. The burden of proof for withholding public access rests with the municipality.

*What records are NOT subject to public inspection?* Certain kinds of records are not subject to public inspection under AS 40.25.12.120(a) and decisions of the Alaska Supreme Court. The exceptions are:

- Confidential attorney-client records
- Records that come within the Alaska constitutional right to privacy
- Most personnel records
- Most records concerning conflict of interest and ethics investigations
- Records required to be kept confidential under City of Gustavus code. See 2.30.060(b)(2), 2.60.030, 4.14.070(g), and 6.01.050(a).
- Records required to be kept confidential by Federal or State law
- Records compiled for law enforcement purposed, under certain circumstances
- Retirement records
- Records that come within ‘deliberative process privilege’ (see below)

*How is confidentiality protected?* Except upon court order, confidential information shall be made available only to officials and employees of the City whose job responsibilities require such information. Confidential information shall be protected from disclosure by adequate physical, electronic, and procedural controls.

*Does labeling a document “draft” make a difference?* No. Draft documents are public records, as are final documents. See AS 40.25.220(3).

*Does labeling a document “confidential” make a difference?* Labeling a document “confidential” may make a difference because it clearly shows the intent of the author that the record should be kept confidential. However, a label alone does not make a record privileged.

*What about e-mail?* E-mail and other electronic documents and records are subject to the same rules of records management and public disclosure as traditional hard-copy files.

*What is the “deliberative process privilege”?* The deliberative process privilege is a judicially recognized exception to disclosure. The Alaska Supreme Court (*Gwich’in v. State* [2000]; *Capital Info Group v. State* [1996]) ruled that “Public officials may assert [the deliberative process] privilege and withhold documents when public disclosure would deter the open exchange of opinions and recommendations between government officials. The privilege is intended to protect the executive’s decision making process, its consultative functions, and the quality of its decisions.” The public’s right to know

and the government's interest in confidentiality require a "balancing test" between the interests, and, from a policy standpoint, the City of Gustavus communications that are exempt from public disclosure are only those listed in State statute, or are matters taken by the City Council while in Executive Session.

*Can a person involved in litigation against the City of Gustavus make a request for public records if the request pertains to the case?* No. That person must instead use the rules of procedure applicable in a court or administrative proceeding.

*I am a member of a committee or the Council and I get an information packet at the start of each meeting. Do I need to retain all of the items in that packet as a record?* No. If a document is obviously a copy of a master document, or is stamped 'copy', there is no need to retain it. The City Clerk, or Committee Chair will retain master copies of such documents as records. However, if in the course of the meeting you take notes on that document, the document then become influential in the decision-making process of the Council or Committee, and you should retain those notes and submit them as a record.

*What does historical record mean?* Many of these public records constitute historical documents that reflect important developments and trends in the public life of Gustavus, and as such should be retained for future reference. Any record listed for permanent retention on the schedule is considered an historical record. In addition, there are items generated throughout the course of events of City life that warrant retention as historical records, such as photographs, awards or other mementos.

### **Hard-copy Documents**

As a rule, the generation and management of hard-copy documents is detailed in the records retention schedule. Transitory documents – records that are created primarily for the informal communication of information – have the shortest retention life, whereas documents that reflect communications designed for the perpetuation or formalization of knowledge merit longer retention. Documents that lie at the foundation of City function and operation merit permanent retention. See the Records Retention Schedule for details (Appendix 1).

### **E-mail**

Many e-mails are messages that contain pertinent information influencing the decision making process or are the outcome of that decision making process and therefore constitute a public record and must be retained. City Councilmen, Committee members and City employees are responsible for retaining all e-mails generated in the conduct of City business through electronic mailbox folders corresponding to the Records Retention Schedule and shall file records into those folders. Individual folders shall be consolidated from individual mailboxes into central files by the records manager on a periodic basis. E-mails of a general informational nature that are sent to multiple addresses, that deal with simple matters such as setting up meeting dates or teleconferences, or are general public announcements, do not constitute records and can be discarded. General rules to follow for retaining e-mail messages include:

E-mails that constitute records are filed in their appropriate folders on the City of Gustavus electronic file system.

If in doubt as to the importance of an e-mail message's content, the committee member shall e-mail the City Clerk, or City Council member should file the e-mail in the appropriate file in the City's e-mail system and advise the City Clerk, who will make the decision regarding the need to retain the message.

If the e-mail deals with specific issues that might influence the character of an employee of the City of Gustavus or another committee member, OR, if the e-mail deals with impending legal action, sensitive financial information pertaining to the City of Gustavus, or sales or bed tax information pertaining to a business, it must be filed in a secure folder. Only the City Clerk and Council members have access to these files. Such e-mails generated from a committee member should only be sent to a Council member or the City Clerk for filing.

All files not deemed of a sensitive nature as described in the above paragraph are a public record and are available for public review via a link on the City of Gustavus website.

### **Telephone and Verbal Communications**

Some City business is conducted over the telephone or in conversations between individuals or groups. Often phone calls deal with transitory transactions and there is no documentation of them, nor need to do so. However, on occasion there are teleconferences or meetings with representative of State or Federal agencies, interactions with the City attorney(s), and others, during which information that can influence or direct the decisions of the City is shared. During such interactions, it is **mandatory** to take notes or compile memorializations that reflect the content of the dialogue. These notes and memorilizations are public records and shall be retained. The Conversation Record form (Appendix 2) is a good way to formally capture this information.

### **Procedures to follow for a public records request:**

All requests for public records should be made to the City Clerk using the Request for Public Records Form (Appendix 3). If the request is made by e-mail, an electronic version of the form should be made available to the requesting party.

The City Clerk should advise the Mayor of all records requests, and feel free to consult with the City attorney if the requests are of a legal nature.

The City Clerk has ten (10) business days from receipt of the Request for Public records Form to respond to the request. The response should be prompt, but should not impact the normal work schedule of the City Clerk. If the response will require more than ten (10) business days, the City Clerk shall advise the requestor in writing, prior to the expiration of the initial ten (10) day period, of the need for an additional number of days, and specify one or more of the following reasons: voluminous amount of records requested; need to search for and collect records from other offices; need to consult with someone else who is not present; request came at a time of peak workload; need to consult with City attorney.

The City Clerk, in the process of fulfilling a public records request, is not required to create any document that does not already exist.

The City Clerk is not required to organize public records in response to the request.

The City Clerk is not required to manage or manipulate data, nor create new records, such as spreadsheets, in response to the request. The City Clerk may supply the requested records in either their original form (i.e., electronic or paper) or in a form specified by the requestor, at the City Clerk's discretion.

The requestor must describe the desired records in sufficient detail to enable the City Clerk to locate the records.

The City Clerk should ask for clarification or additional information if there is confusion or if the request is unclear. The City Clerk should make every reasonable effort to comply with the request, but is not bound to spend more than five (5) hours total time searching for records.

All records requests pertaining to committees shall be administered by the City Clerk to assure compliance with policy. If committee members convey records to requesting parties without consulting with the City Clerk, this does not constitute a public records request.

The requesting party is responsible for covering the cost of duplication, as established in City of Gustavus resolution. If the City Clerk estimates a substantial cost for the request, the Clerk shall advise the requestor by phone, documenting the call using the Conversation Record Form, or formally, in writing of the estimate prior to initiating the work and inquire as to whether the requestor wants to narrow the request or proceed. The person's response should be in writing and submitted to the City Clerk. E-mailing the response is acceptable.

If the production of records sought by a requestor in a calendar month exceeds five (5) (5) person-hours, the City must require the requestor to pay the personnel costs above those five(5) person-hours prior to completion of the search and copy of the records.

The City Clerk should furnish all requested records that are subject to disclosure, and may not request a justification for or an explanation of the intended use of the information requested.

If a record contains both disclosed (or non-sensitive) and non-disclosed (or sensitive) information, the non-disclosed information should be segregated and withheld by such means as redacting or blackening out the non-disclosed information, and the disclosed information provided.

If the request is denied in whole or in part, the City Clerk must explain in writing what is not being provided and the legal basis for nondisclosure.

A denial, in whole or in part, may be appealed to the Alaska Superior Court.

### **Historical Records and Materials**

Only some of the records that meet the criterion described above qualify as historical records, and not all materials that revolve around City activities constitute records, but they might be materials that are worthy of permanent retention.

Any item listed as 'permanent' on the Retention Schedule is considered a historical record, and must be retained in perpetuity in the City's filing system.

Other historical materials worthy of being retained might include such items as photographs of City events, Council members or community members, memorabilia generated during community activities, old records left over from the activities of the Gustavus Community Association, or any such items that pertain to the history of development of the community of Gustavus. Judgment should err on the side of retention if there is any question.

### **Record Retention Schedule and Storage**

Per municipal code 2.70.030, the Mayor shall approve a record retention schedule that details the types of records that will be retained and the period of time for which they will be retained, whether the period be days, years or permanently. When records are slated to be destroyed in accordance with the schedule, they will be catalogued on the Certificate of Record Destruction (Appendix 4). This form will be retained permanently and will serve as a voucher of all records destroyed according to the retention schedule.

Due to the limited storage available at the City Hall, records may be kept at another location to be determined by the Mayor and/or City Council. Sensitive records shall be stored in locked filing cabinets.

## **City of Gustavus Records Retention Schedule**

The purpose of the Gustavus Records Retention Schedule is to provide a timeframe for retention of City records; to assign responsibility and ownership of records; and to provide absolute guidance in the long-term maintenance and safekeeping of important City records. Research has been completed for each record series and the pertinent regulation or industry standard has been applied to establish retention.

Unless otherwise noted, all records in this schedule apply to all media types.

### **Definitions for Abbreviations:**

<b>C</b>	<b>Current Year</b>	Current calendar year (for retention purposes, fiscal year records are held through the end of that calendar year), or current calendar year including until superseded, expired or inactive
<b>Act</b>	<b>Active</b>	Open, current or operational; under contract; term of office
<b>P</b>	<b>Permanent</b>	Retain forever
<b>Ind</b>	<b>Indefinite</b>	Retention cannot be determined in advance; to be reviewed at a later time
<b>L</b>	<b>Life</b>	Life of Equipment or asset
<b>E</b>	<b>Electronic Retention</b>	
<b>T</b>	<b>Termination</b>	Until termination of employee or volunteer; no longer active
<b>D</b>	<b>Death</b>	
<b>CFY</b>	<b>Current Fiscal Year</b>	
<b>NA</b>	<b>Not applicable</b>	
	<b>Administrative Need</b>	Department Head may determine when the record has met its usefulness; minimum of 30 days

[Type text]



Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

A-1	Accounting-Permanent Records	Final approved budget, annual financial reports, audit reports, General ledger/journal, payroll policies & procedures.	Finance or Clerk	P	P	<b>P</b>		
A-2	Accounting – Budget Work Papers	Includes drafts, instructions, worksheet, preliminary budgets, agency requests	Finance or Clerk	2	1	<b>3</b>		
A-3	Accounting – Financial & Accounting Reports	Includes annual report prepared by clerk/treasurer	Finance or Clerk	CFY+ 3	3	<b>4</b>		CFY=current fiscal year
A-4	Accounting – Accounts Receivable/Payable	Purchase orders, invoices, check copies, deposit slips, wire transfers, transmittal of receipts, debt service payments, accounts receivable, daily cash receipts, paid bills and invoices	Finance or Clerk	CFY+ 3	3	<b>4</b>		Electronic register to be archived and kept off-site each year.
A-5	Accounting – Banking Records	Original Bank Statements and cancelled checks,	Finance or Clerk	CFY+ 7	6	<b>8</b>		
A-6	Travel	Travel advances, per diem, transportation fees for employees or council on official business	Finance or Clerk	1	2	<b>3</b>		
A-7	Accounting – Endowment Fund		Finance or Clerk	P	P	<b>P</b>		Prospectuses, shareholder reports and investment plans are not financial records.
A-8	Accounting – Bills of Sales	Official documentation of sales transactions between government agency and buyer	Finance or Clerk	C+1	4	<b>6</b>		
A-9	Accounting – Foreclosure Files							
A-10	Accounting – Fixed Assets	Records related to Fixed Asset inventory, vehicle titles and registrations	Finance or Clerk	L+1		<b>L+1</b>		L=life of asset, or until State authorizes disposal of grant funded assets
A-11	Accounting – Payroll	Lists check numbers, employee name, net amount and financial coding, documents employee salary including payroll action forms (PAF), PERS (if applicable) and IRS dates	Finance or Clerk	T+10		<b>T+10</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
A-12	Accounting – Payroll	Payroll journal, payroll deduction authorizations (reports and lists,) Employer W-2 Copy (Federal withholding tax statement), Employee withholding exemptions (W-4), Payroll reports (FICA, Unemployment insurance, summary and detailed queries, stopped/reissued warrants, overtime and retirement reports, Electronic Federal Tax Payment Documentation, Internal Revenue Service Reports (1099R, 945)	Finance or Clerk	C+1	4	5		
A-13	Accounting – Payroll	Timesheets; Official Employment History (applications; resume; personnel actions regarding hire; termination and promotion; performance appraisals; employee testing; training certificates; driving history). Employee gross earning; deductions and net pay, Garnish & Payroll deduction court orders; Notification of pay step increases; Retirement Participation, Health...	Finance or Clerk	5	10	15		Timesheets may be destroyed after 3 years if associated data is recorded elsewhere.
A-14	Accounting – Payroll	Applications for Employment ( <i>not hired</i> )	Finance or Clerk	1		1		
A-15	Accounting – Sales Tax	Payments for sales and fish box tax. Closed sales tax accounts	Finance or Clerk	C	3	C+3		
A-16	Accounting – City Budget	Copy of Committee worksheets, drafts and final adopted budget per year	Finance or Clerk	C	10	C+10		Adopted fiscal budget =P
A-17	Accounting – Grants	Grand administration files – State Grant Administration files, Federal (applications, copy of notification of grant award, agreement, special conditions, fiscal reports, closeout documents, audit reports and correspondence).Capital Improvement Projects	Finance or Clerk	C+1	19	20		Due to various grant requirements, we will keep the CIP files for 20 years after the project closes.
A-18	Accounting – Grants	Grant Applications ( <i>not awarded</i> )	Finance or Clerk	1		1		
A-19	Surplus Property	Documents disposal of property declared to be excess or surplus	Finance or Clerk	C+3		C+3		C=Current
A-20	Insurance Policies & Endorsements	Insurance proposals, policies and endorsements, bonds, riders, correspondence, financial coding and billing information	Finance or Clerk	C+1	48	C+50		
A-21	Accounting – Medical	Worker's Compensation, On-the-job injury, lost time	Finance or Clerk	C+1	38	C+40		C=until case is inactive

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
A-22	Accounting – Accident Reports (personal)	Incident/accident reports, medical evaluations, time loss documentation	Finance or Clerk	C+1	5	<b>7</b>		
A-23	Accounting – Accident Reports (vehicle)	Vehicle accident reports, certification of insurance, inspection reports, maintenance reports, liability accident notices	Finance or Clerk	L+3	3	<b>L+3</b>		
A-24	CIP Request File	All documents relating to each fiscal year's requests. See A-17	Finance or Clerk	5	15	<b>20</b>		Oldest grant received + 20 years
A-25	Business Licenses, Reseller's Permits, Liquor Licenses Applications	Copy or paper record of any application documentation	Finance or Clerk	C	3	<b>C+3</b>		
A-26	Sales Tax Appeals; Small Claims	Documentation						
A-27	Accounting – General	Accounting records not previously covered	Finance	3	3	<b>6</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

AD-1	General Administration	Includes general correspondence, reading files, reports, studies, plans and copies of documents used for administrative purposes	Department Heads	Until Need Is met	n/a	<b>Until Need is Met</b>		
AD-2	Non record	Items that do not reflect the position or business of the City of Gustavus; may include unsolicited received messages (spam), periodicals, superseded templates, duplicates of records retained elsewhere	Department Heads	None	None	<b>None</b>		May destroy immediately
AD-3	Transitory Information	Non-administrative records of temporary usefulness which are not covered by any other records series; may include routine communications, preliminary drafts, outgoing messages, routing slips	Department Heads	30 days	n/a	<b>30 days</b>		Email transitory records will be presumed destroyed 30 days after creation of receipt
AD-4	Policies and Procedures	City and Committee Routine policies and procedures	Council	C+3	C+3			C=until superseded
AD-5	Asset Management	Maintenance Records, manuals, warranties	Clerk	Life of equipment	n/a	<b>Life of equipment</b>		
AD-6	Administrative IT	Records relating to computer system, including program/system documentation, wiring, software licenses, disaster recovery, inventory, web page data	Clerk	Until need met	n/a	<b>Until need met</b>		
AD-7	Reference	Reference materials used for administrative purposes	Department Heads	Until superseded	n/a	<b>Until superseded</b>		
AD-8	Historical Files	Departmental written histories, newspaper articles, photographs, speeds, maps	Clerk	C+1	P	<b>P</b>		
AD-9	Strategic Plan, Facility Plan, Master Plan and amendments	Documents relating to formation of Strategic Plan and amendments to original	Clerk	P	P	<b>P</b>		When replaced, old versions are retained as historical records.
AD-10	Record Retention Schedule	This Schedule	Clerk	7	P	<b>P</b>		P=if revised, new schedule replaces old and old is retained for 7 yrs.
AD-11	Certificates of Record Destruction		Clerk	P	P	<b>P</b>		
AD-12	Cooperative Agreements with State or NPS	All agreements between City and State, NPS or Federal Government	Clerk	5	P	<b>P</b>		
AD-13	Engineering Drawings, street maps, city-owned architectural drawings, blueprints, as-built drawings	Includes 2012 maps created by Alaska DCCED for City of Gustavus	Clerk	P	P	<b>P</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

AD-14	Consultant Reports	Architect, engineer, surveying reports	Clerk	5*	P	<b>P</b>		*Retain in-office is project is on-going and until project is concluded.
AD-15	Water Quality Reports	Reports conducted by outside entity	Clerk	C	P	<b>P</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
C-1	Annexation Records	Annexation Files	Clerk	C	4	<b>5</b>		Retain Permanently, if not recorded in minutes
C-2	Incorporation Records	Incorporation Records, Borough Formation Records	Clerk	P	P	<b>P</b>		
C-3	Council Non-Permanent Records	General correspondence regarding Mayor and Council business and dealings with public and legislative bodies; Meeting packet items, ABC Board Files (ABC Applications), Applications for Game of Skill and Chance, Clerk read files. General Correspondence Files. Original incoming and outgoing letters and memoranda related to the general admin and operation of the city. Consists of departmental, legislative, professional association, and public	Clerk	C+1	1	<b>3</b>		
C-4	Council Permanent Records	Minutes of Council, Adopted Resolutions; Adopted Ordinances, including original paper code book and Affidavits of Publication of Ordinances; Oaths of Office for all elected and appointed officials; Official Municipal Seal	Clerk	P		<b>P</b>		Scan and retain in hard drive off-site or Cloud
C-5	Election – Permanent	Certification Election Results and Canvass Board Returns (retained in the Official Minutes Book), DOJ Preclearance records, Voting district descriptions, maps & street books	Clerk	5	P	<b>P</b>		
C-6	Elections – General	Initiative, Referendum, and Recall files, Declarations of Candidacy, Election registers & tally books, Recount of petitions, Declarations for Candidacy, Candidate withdrawals, Election officials' records	Clerk	Act	6	<b>6</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
C-7	Elections* - Ballots	Voted Ballots (Completed, Challenged, Rejected, Absentee, Faxed & Special Needs). Ballot stubs, absentee and question envelopes, absentee official records. Election contest/runoff information.	Clerk	1 Mo	1	1		*Includes Special Elections
C-8	Petitions	Legal Petitions filed by groups or individuals to request governing body action.	Clerk	2	8	10		Clerk must certify that petition was legally filed.
C-9	Board of Ethics	May include: complaints, decisions, correspondence of Board of Ethics	Clerk	Act	3	Act+3		
C-10	Resolution/Ordinance Backup	All Back-up leading to the adoption of Ordinances and/or Resolutions	Clerk	C+1	Ind	Ind		
C-11	Cemetery Records							
C-12	Council Meeting Documentation	Agendas*, Action Agendas*, Audio and video recordings, Council Packet	Clerk	C+1	8	10		*Includes email
C-13	Conflict of Interest	Conflict of Interest Statements	Clerk	C+1	4	6		
C-14	Failed Resolutions, Policies, Referendums and Ordinances		Clerk	5	5	10		
C-15	Required Public Notices	Council Meeting Notices*; elected and appointed official vacancies, regular and special elections	Clerk	C+1	8	10		*Includes email
C-16	Census Records	Series of documents population estimates including resident data	Clerk	C+1	8	10		Current until superseded
C-17	Public Records Request	Includes written request for public records, log includes date of request, name of requester and other related information	Clerk	1	1	1		
C-18	Contract Administration, Contracts, Construction Project Files	Notification of award, original contract, and amendments or renewals, special conditions, fiscal reports, payment logs, progress reports and correspondence. Contracts for leased space. Records related to obligations under contracts, leases and other agreements between the City and outside parties	Clerk/ Finance	L	6	L+6		L=Life of Contract
C-19	Liquor License Endorsement or Protest	Record of yearly liquor license renewal. Record of council protest to renewal or application	Clerk	C+1	4	6		
C-20	Committee Files	Organizational Charts, Committee Applications for Seats, Committee Files*	Clerk	3	2	5		Retain longer if involved in litigation
C-21	Clerk-General	Clerk records not previously covered	Clerk	3	3	6		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
E-1	Data Processing & Electronic Data Processing Media	Office copies of magnetic cards/tapes/diskettes, CE's or other media used for communicating with data processing equipment or as preliminary input, temporary storage, output control which serves as an intermediate means for the production of printouts, or online data	Clerk	3	5	<b>8</b>		
E-2	Transitory Correspondence	Messages which do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt. May include unsolicited received messages (spam), periodicals, superseded templates, duplicates of records retained elsewhere	Clerk	90 days				
E-3	Subject Files	Correspondence, reports and information related to the functional department of the municipality and which document events, projects, activities and issues.	Clerk	2	5	<b>7</b>		At 7 years these should be reviewed for archival value.
E-4	Reading Files	Copies of incoming and outgoing letters and memoranda arranged by date.	Clerk	2	5	<b>7</b>		
E-5	Calendar Information	Appointments, calendars, schedules	Clerk	1	3	<b>4</b>		
E-6	Purchase Orders		Clerk	1	3	<b>4</b>		See A-4
E-7	Clerk Email Messages	If subject to multiple records retention requirements, it must be archived for the longest applicable period.	Clerk	3	P	<b>P</b>		Shall be retained permanently using external hard drive or Cloud-based storage
E-8	Mayoral and City Council Email Messages	Messages sent or received by Mayor and/or City Council using city-issued computers	Clerk	2	3	<b>5</b>		May be deleted within 1 year unless the email is subject to a records retention requirement, public records request or legal hold. Non-record email is retained for 90 days.



Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
F-1	Fire Inspection							n/a as of 2014
F-2	EMS Incident Reports	Reports of any incident that involved Emergency Medical Services	Fire Chief	10		<b>10</b>		
F-3	Fire Inspection/Compliance Files	Series that documents fire safety inspection	Fire Chief	C		<b>C</b>		C=until building is no longer in use
F-4	Permits/Licenses Issued	Includes safety records and safety inspections	Fire Chief	C		<b>5</b>		
F-5	Violation/Complaint Files	Record of violations and complaints relating to Fire Safety Code	Fire Chief	C+3		<b>C+3</b>		C=until resolution of complaint
F-6	Fire & Rescue Response Dispatch Tapes	Audio tapes of incoming calls and outgoing dispatch instructions		30 days		<b>30 days</b>		
F-7	Fire & Rescue Response Dispatch Logs	Record of incoming calls received by the Department.	Fire Chief	3		<b>3</b>		
F-8	Fire & EMS Training Files	Consists of correspondence, course descriptions, training dates & exam results	Fire Chief	T+6		<b>T+6</b>		T=until termination of employee or volunteer no longer active
F-9	Fire Prevention Education Programs	Multimedia materials used in fire prevention education	Fire Chief	C		<b>C</b>		C=until superseded/obsolete or administrative need is met
F-10	Fires & Rescue Response Circuit/Radio Box Records	Test Logs	Fire Chief	1		<b>1</b>		
F-11	Alarms Records	Alarms Records:Record of alarm response tests conducted on all circuit and location alarm boxes	Fire Chief	L		<b>L</b>		L=life of system
F-12	Equipment Inspection Records	Records of inspections for vehicles, mechanical systems, hoses,hydrants,ladders (ground and aerial), mask service information (model, serial number,purchase date, type, cubic feet of tank and service record)	Fire Chief	3		<b>3</b>		
F-13	Equipment Inspection	Mask service and ladder information	Fire Chief	C		<b>C</b>		C=until no longer in service
F-14	Apparatus Accident Files	Department record of accidents involving municipal fire/rescue vehicles. May include Trooper reports	Fire Chief	3		<b>3*</b>		*retain longer if involved in litigation
F-15	Fire Hydrant Identification Files							
F-16	Fire & EMS General	Fire & EMS records not previously covered	Fire Chief	3	3	<b>6</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		
HR-1	Human Resources – Organization Charts/ Salary Schedule	Organization Charts, Salary Schedules	Clerk or Finance	C		<b>C</b>		C=until superseded/ obsolete or admin. need is met.
HR-2	Employee training		Clerk or Finance	C		<b>C</b>		Until separation from City
HR-3	Human Resources – Job Descriptions/Class Specifications	Description of specific duties for each position, job qualifications & skills	Clerk or Finance	C		<b>C</b>		C=until superseded/ Obsolete or admin. Need is met.
HR-4	Human Resources- Grievance Case Files	Grievances filed by employees against departments, grievance forms, investigative notes, reports, correspondence and related backup	Clerk or Finance	C+5		<b>C+5</b>		Until resolved
HR-5	Human Resources – General	Human Resources records not previously covered	Clerk or Finance	3	3	<b>6</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

L-1	Circulation Records	Items borrowed	Librarian	C		<b>3</b>		Until obsolete
L-2	Circulation Statistical Reports	Statistics of circulation	Librarian	P		<b>P</b>		
L-3	Accession Records	Items added to the collection	Librarian	P		<b>P</b>		Until obsolete
L-4	Discard Statistics	Items withdrawn from the collection	Librarian	1		<b>1</b>		Until obsolete
L-5	Policies and Procedures	Implemented general policies	Librarian	P		<b>P</b>		Updated periodically
L-6	Grant Files	Proposals and reports	Librarian	P		<b>P</b>		
L-7	Vertical Files	Reference files on local history	Librarian	L		<b>L</b>		Local AK History
L-8	Automated System	Backup on local system	Librarian	P		<b>P</b>		
L-9	Patron Registration Records	Application for borrowing privileges	Librarian	P		<b>P</b>		Until obsolete
L-10	Interlibrary Loan Records	Requests for items from other libraries	Librarian	1		<b>1</b>		
L-11	Overdue notices & fines	Notice to patrons concerning overdues	Librarian	C		<b>C</b>		Until obsolete
L-12	Incident Reports	Incidents/accidents reported to staff	Librarian	5		<b>5</b>		Unless litigated
L-13	Endowment Records	Donation/contribution bequests	Librarian	P		<b>P</b>		
L-14	Library Equipment Records	Guarantees, warranties Includes correspondence related to failed or non-functioning equipment	Librarian	C		10*		*or until equipment is replaced

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

LAW-1	Municipal Attorney Opinions	Official interpretations regarding questions of legal rights or liabilities affecting operating departments	Clerk	P		<b>P</b>		
LAW-2	Litigation	Records related to action in civil and criminal cases and investigations, including: briefs, pleadings, evidence, reports, court proceedings, correspondence. Final Claims or Litigation Documents	Clerk	Act		<b>Ind.</b>		C-until case is closed
LAW-3	Law-General	Correspondence and reports related to the legal review of city functions	Clerk	3	3	<b>6</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

PL-1	Land Management – General	Land Classification Case/Management; files relation to acquisitions, sales, leases, management agreements, letters of entry, timber sales, resource sales	Clerk	Act+ 10		<b>10</b>		
PL-2	Conditional, Variance, Temporary Use Permits, ROW vacations, or other activities requiring public hearing	Land Use Permits that require a hearing and approval by the Council	Clerk	3	P	<b>P</b>		
PL-4	Planning and zoning – General							
PL-5	Deeds & Leases to Municipality Real Property	Deeds to city real property, Deeds, Patents, Quitclaims, Easements, Right-of-Way and Leases to City property	Finance or Clerk	P		<b>P</b>		

Record Series	Subjects	Description	Data Owner	Retention			Location of File	Comments Or Notes
				Office	Storage	Total		

PW-1	Procurement Files	Purchase of goods and services which may include: bid specifications, requests for proposal, price quotations, bid abstracts, purchase orders/requisitions, contracts/leases, correspondence	Clerk	C	3	<b>C+3</b>		C=Current Fiscal Year
PW-2	Engineer's Drawings	Maps, plats, block and street maps	Clerk	P		<b>P</b>		See AD-13
PW-3	Projects-General	Project files not previously covered	Clerk	3	3	<b>6</b>		
PW-4	Contracts	Contracts for successful bidder, project manager, if applicable,	Clerk	6	L	<b>L+6</b>		L=Life of Contract



**CITY OF GUSTAVUS  
REQUEST FOR PUBLIC RECORDS**

It is the policy of the City to provide access to public records and information so that the right of the people to remain informed is protected. Public records are open for inspection during regular business hours.

All requests for City records shall be made in writing to the Office of the City Clerk/Treasurer. Use the City of Gustavus Public Records Request form when making a request for public record. The requester is required to sign the certification of Non-litigation Affiliation before the request will be processed.

The City of Gustavus will respond to a public records request in a prompt manner consistent with both legal restrictions and the City's obligation to the public. A public record request will be filled within 10-business days. If the request will take more time, the City may take an extension of an additional 10-business days.

Some records of the City are exempt from public disclosure because they are declared privileged or confidential.

If the production of records for one requestor in a calendar month exceeds eight staff hours, the requester shall pay the personnel costs required during the month to complete the search and duplication of the record requested. See CoG Policy and Procedure for Public Records Management for further information.

There will be a copy charge for items requested in the amount of .25/page. A double/sided copy is charged as two copies.

\_\_\_\_\_  
Requestor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



**PUBLIC RECORDS REQUEST**

Name of Requestor: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Organization or Company: \_\_\_\_\_

Mailing Address \_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_

E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

**Please describe below, in detail, the information or documents you are requesting. Please be as specific as possible.** I request to inspect or receive copies of the following documents or files:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hold for Pick-up    Mail    Fax    E-mail

**ACKNOWLEDGEMENT OF PAYMENT**

I understand I will be charged a fee for each page that I am requesting to be copies, faxed, emailed, or mailed and that if it is determined that my request will require more than eight hours of staff time to prepare, I will pay, upon notification, the personnel costs required to complete each task and/or copying tasks. I further understand that the City must respond to the request within 10-business days after receiving my request, except that the City may take an extension of an additional 10-business days if needed. I further understand that this request is available for public review and will be kept on file in accordance with City records policy.

**CERTIFICATE OF NON-LITIGATION AFFILIATION**

I hereby certify that: I am not involved in litigation with the City of Gustavus or another public agency to which the requested record is relevant and I am not acting on behalf of or otherwise representing any person who is involved in litigation with the City of Gustavus or another public agency to which the requested record is relevant. I certify under penalty of perjury, that the foregoing statements are true.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**City Use Only**

City Staff Use: Date Due: \_\_\_\_\_ Extension: No Yes Due: \_\_\_\_\_ Date Filled: \_\_\_\_\_

Research hours: \_\_\_\_\_ By: Pick-Up Mail Fax E-mail Initial \_\_\_\_\_

## CERTIFICATE OF RECORDS DESTRUCTION

This form documents the destruction of public records in accordance with Alaska Statute 40.25,  
Gustavus Municipal Code 2.70.030 and City of Gustavus Policy and Procedure for Public Records Management

<b>1. Agency/Locality</b> City of Gustavus	<b>2. Division/Department</b> Desk of the Deputy City Clerk	<b>3. Person Completing Form</b> Sandi Marchbanks, Interim Deputy City Clerk
<b>4. Address, City, State &amp; Zip</b> P.O. Box 1, Gustavus	<b>5a. Telephone Number &amp; Extension</b>	<b>5b. E-mail Address</b>  clerk@gustavus-ak.gov

### 6. Records to Be Destroyed

a) Schedule and Records Series Number	b) Records Series Title	c) Date Range (mo/yr)	d) Location	e) Volume	f) Destruction Method

### DESTRUCTION APPROVALS

*Note: Public records may not be destroyed without receiving prior authorization from the Mayor and/or City Council.*

We certify that the records listed above have been retained for the scheduled retention period, as per the City of Gustavus Records Retention Schedule, required audits have been completed, and no pending or ongoing litigation or investigation involving these records is known to exist.

**7. MAYOR** \_\_\_\_\_ **DATE** \_\_\_\_\_

**8. CITY CLERK/TREASURER** \_\_\_\_\_ **DATE** \_\_\_\_\_

**9. RECORDS DESTRUCTION**  
**AFFIRMED BY:** \_\_\_\_\_ **DATE** \_\_\_\_\_