

Council Letter No. 3611  
Council Meeting – April 7, 2009

To the Honorable Mayor  
and  
Members of the City Council  
City of Urbandale, Iowa

Re: Records Management Program

At its meeting of December 14, 1999, the City Council adopted the Code of Ordinances of the City of Urbandale, Iowa, 1999. The 1999 Code compiled and re-codified all of the City's ordinances adopted since 1980. The Records Management Program of the City was codified in Chapter 8 of the 1999 Code.

At its meeting of October 24, 2006, the City Council approved the purchase of a document imaging system. The document imaging system allows the City to efficiently convert paper documents into a searchable electronic document. The system also enables City staff to reproduce the electronic document in a hard copy form when requested.

During the past two years, City staff in all departments has reviewed the Records Management Program and Chapter 8 of the 1999 Code. Staff worked with the State Historical Society of Iowa and the Iowa League of Cities to ensure the City's program and electronic documents fulfilled federal and state regulations pertaining to records retention.

Based on this review it is recommended to abolish Chapter 8 of the 1999 Code, by adopting Resolution 47-2009. This Resolution would update the City's Records Management Program to current best practices. The program would outline the custodian of public records; establish the *Records Retention Manual for Iowa Cities*, produced by the Iowa League of Cities, State Historical Society of Iowa's Archives and Records Bureau, and the Iowa Municipal Finance Officers Association, as the records retention schedule for the City with modifications; and establish a system for the preservation of records essential for the continuity of governmental functions.

State law does not specify retention policies for local governments, but the Code of Iowa, Chapter 372.13(5) does set minimum record retention periods for certain types of records. Per the Iowa Code, general city records or accurate reproductions should be kept a minimum of five (5) years, eleven (11) years following the final maturity of bond obligations, and permanent retention for ordinances, resolutions, council proceedings and real property transactions. Chapter 372.13(5) also authorizes the retention of documents or accurate reproductions from electronic or other forms of retention and Chapter 622.30 authorizes electronic reproduction and destruction of original documents as admissible documents in court. The proposed Resolution 48-2009 would assure consistency in the preservation of records retained by the City and would assist in providing that copies were produced in the "regular course of business", which is one standard by which Section 622.30 judges items when being offered as evidence in court. The Council would acknowledge that official City documents may be electronically imaged; that electronic documents are an official City record; and that original documents may be destroyed after being electronically imaged, in accordance with the City's Records Management Program.

The Information Technology Manager reports that all departments have been trained in the document imaging system and that all electronic documents are backed up for replication and preservation.

The City Attorney has reviewed the proposed ordinance and resolutions and has recommended they be approved.

Therefore, it is recommended that the City Council, at its meeting of April 7, 2009, approve Ordinance No. 2009-05, deleting Chapter 8, entitled "Records Management Program", approve Resolution 47-2009, adopting the Records Retention Program of the City of Urbandale, Iowa, and approve Resolution 48-2009, establishing electronic imaging and destruction of records and documents, as described above.

Su Zanna K. Prophet  
Interim City Manager

ORDINANCE NO. 2009-05

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF URBANDALE, IOWA, 1999, BY DELETING CHAPTER 8 ENTITLED "RECORDS MANAGEMENT PROGRAM"

BE IT ENACTED by the City Council of the City of Urbandale, Iowa:

SECTION 1. The Code of Ordinances of the City of Urbandale, Iowa, 1999, is hereby amended by deleting Chapter 8, entitled "Records Management Program".

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANDALE, IOWA, that the above stated ordinance shall be in effect from and after its passage by the City Council and upon publication as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF URBANDALE, IOWA, this 5<sup>th</sup> day of May, 2009.

---

Robert D. Andeweg, Mayor

Attest:

---

Debra Mains, City Clerk

## **RESOLUTION 47-2009**

### **A RESOLUTION ADOPTING THE RECORDS MANAGEMENT PROGRAM OF THE CITY OF URBANDALE, IOWA.**

WHEREAS, the City of Urbandale, Iowa, regularly creates public records and is authorized to destroy public records after a certain period of time; and

WHEREAS, the 2008 Code of Iowa established requirements for the retention of official City documents, pursuant to the following:  
CHAPTER 22 EXAMINATION OF PUBLIC RECORDS (Open Records);  
CHAPTER 305 STATE RECORDS AND ARCHIVES;  
CHAPTER 372 ORGANIZATION OF CITY GOVERNMENT;  
CHAPTER 622 EVIDENCE; and

WHEREAS, each City department as the primary originator and/or custodian of its records, which exist in a variety of formats will inventory its records; will appraise its records for administrative value, legal value, fiscal value, and/or historical value; will schedule its records; will organize its records; will implement the program; will maintain and catalog its records either by digital or non-digital methods; and will be accountable to locate and to retrieve its records; and

WHEREAS; The City of Urbandale will adhere to the Record Retention Manual for Iowa Cities (Produced by the Iowa League of Cities, State Historical Society of Iowa's State Archives and Records Bureau, and Iowa Municipal Finance Officers Association) for the retention and destruction schedule of public records and other supplemental City documents, and will administratively amend the retention and destruction schedule as necessary, including future changes in the Iowa Code; and

WHEREAS, each City department, in coordination with the City Manager's office, will establish a system for the preservation of records essential for the continuity or establishment of governmental functions in the event of an emergency arising from natural disaster or other destructive actions; and

WHEREAS, the City will procure secure off-site storage, retention technologies, and destruction and disposal services of records.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANDALE, IOWA, that it hereby adopts this Records Management Program.

PASSED AND APPROVED this 7<sup>th</sup> day of April, 2009.

---

Robert D. Andeweg, Mayor

Attest:

---

Debra Mains, City Clerk

**RESOLUTION 48-2009**

**A RESOLUTION ESTABLISHING ELECTRONIC IMAGING AND  
DESTRUCTION OF RECORDS AND DOCUMENTS.**

WHEREAS, Chapter 372.13(5) of the Code of Iowa authorizes retention of documents, or accurate reproductions; and

WHEREAS, electronic imaging of records greatly reduces storage requirements; and

WHEREAS, Section 622.30 of the Code of Iowa authorizes electronic reproduction and destruction of original documents admissible in court; and

WHEREAS, the City Council wishes to formally establish a policy for the electronic imaging and destruction of records and documents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANDALE, IOWA:

1. That official City records and documents may be electronically imaged;
2. That electronically imaged documents are deemed to be the official City record;
3. That original documents, in accordance with statutory requirements and the City's Records Management Program, may be destroyed after being electronically imaged.

PASSED AND APPROVED this 7<sup>th</sup> day of April, 2009.

---

Robert D. Andeweg, Mayor

Attest:

---

Debra Mains, City Clerk