1. **Purpose:** To state the policy of the City of Huntington Beach (City) to develop and implement a centralized Records Management Program (RMP) that (a) provides for the systematic identification and management of records, in all formats or media, and (b) specifies responsibilities to implement the program.  
   The RMP manages the creation, receipt, maintenance, and disposition of City records; maintenance of the approved Records Retention Schedule; utilization of appropriate technology to facilitate records retrieval and storage; and establishment of guidelines and procedures to carry out these functions. The RMP provides systematic control of all records, regardless of format or location, from creation or receipt through processing, distribution, maintenance retrieval and disposition. 
   The objectives of the RMP are to:
   - Identify the City's records to facilitate access to information required to conduct the City's business and to comply with applicable statutes and regulations;
   - Establish procedures for the maintenance and preservation of City records in accordance with this policy and Records Retention Schedule;
   - Promote awareness among City employees of the importance of the RMP and provide consistency in the storage, retention, and destruction of City records;
   - Ensure preservation of records subject to Legal Hold as a result of ongoing, threatened or anticipated litigation, claim, audit, proceeding or governmental or City investigation, until the matter or the need for such records has been completed;
   - Protect the integrity of the City's records;
   - Provide protocols to ensure compliance with the California Public Records Act (CPRA) (Government Code sections 7920 et seq); and
   - Identify, protect, and process in accordance with established procedures Historical and Vital records of the City.

2. **Authority:**
   California Public Records Act (CPRA) (Government Code sections 7920 et seq).
   City of Huntington Beach [Charter Section 401(g); Charter Section 310; Resolution No. 2002-9;]

3. **Applicability:**
   This policy applies to all City elected officials, employees, and representatives.
4. Definitions:

- **Historical Records** – Records that have continuing value to the City after business or legal recordkeeping requirements have been met. Historical records relate to the formation, major events, or growth and development of the City.

- **Legal Hold** – A situation in which the destruction or deletion of a record is temporarily postponed, and the record is retained past the assigned retention period due to an investigation, litigation, or audit in which the record may be useful. The record is held until the matter is resolved.

- **Non-Records** – Any document or information that does not pertain to City business transactions or any document or information that is not included in the definition of a record. Examples of “Non-Records” are listed in Exhibit B.

- **Obsolete Records** – Records that have met the required retention periods, are not subject to Legal Hold, and should be processed for destruction.

- **Records** – Any recorded information, regardless of medium or characteristics, created or received by the City that provides evidence of its operations, or its compliance with statutes and regulations. A Record can be in various formats, including hardcopy, electronic, audio/video, etc., can be recorded in various media, including paper, computer disk, optical image, etc. Examples of “Records” are listed in Exhibit A.

- **Records Liaison** – A City staff member(s) designated by Department Head at each department to act as a primary point of contact and liaison with the City Clerk’s Office in the implementation of a centralized RMP department.

- **Records Management Procedures** – A set of steps, instructions, and/or other methodologies to follow in order to complete records management tasks in a systematic way. Common business practice designed to identify, classify, and protect an organization’s records and destroy them at the end of the approved retention period.

- **Records Management Program** – The policy, procedures and resources designed to protect the City’s records, and to destroy them at the end of the approved retention period.

- **Records Retention Schedule** – A list of categories of records that shows the approved retention period and other attributes of such records.

- **Representatives** – Any contractor, agent, or other service provider (including any temporary worker whose services are provided by a third-party contractor that has expressed or implied responsibility to maintain records in the course of its services to the City.

- **Vital Records** – Records identified as essential for the continuation of the City’s operations if a disaster strikes. Such records are necessary to re-create the City’s legal and financial status and determine the rights and obligations of employees, City residents, vendors, etc. Examples of “Vital Records” are listed in Exhibit C.
5. **Policy:**

A. **Records Maintenance**

   All employees shall:

   1. Collaborate with the City Clerk’s Office – Records Management Division in maintaining City Records in accordance with the Records Retention Schedule or, when applicable, Legal Holds;
   2. Take reasonable steps to ensure that representatives working at their direction who maintain City records do so in accordance with the Records Retention Schedule or, when applicable, Legal Holds.

B. **Legal Hold**

   Employees and representatives aware of any pending, threatened or anticipated litigation, audit or investigation are required to retain all Records and Non-Records related to such litigation or investigation. No records shall be altered, destroyed, mutilated, concealed, or deleted if it relates to any ongoing, threatened, or anticipated litigation, audit, or investigation.

6. **Responsibilities:**

A. **The City Clerk’s Office - Records Management Division shall:**

   1. Oversee the implementation of a centralized Records Management Program;
   2. Maintain, review and with approvals of the City Clerk, City Attorney, City Manager and Department Heads, revise the Records Retention Schedule if necessary;
   3. Act as an advisor on all records management issues and related projects;
   4. Coordinate the timely processing of all Public Records Act (PRA) requests;
   5. Manage retention, transfer, appropriate storage, retrieval of records as well as the destruction or deletion of all obsolete records;
   6. Coordinate with the City Attorney and concerned Departments the suspension of destruction or deletion of records subject to Legal Holds, as well as the releases of Legal Holds, which will allow the resumption of destruction or deletion of records;
   7. Coordinate at least one annual citywide records review and destruction of all Departments obsolete hardcopy and electronic records; and
   8. Develop and provide necessary training to all Records Liaisons to ensure compliance with the RMP and the Records Retention Schedule.

B. **City Attorney’s Office shall:**

   1. Identify and advise the City Clerk’s Office - Records Management Division regarding applicable statutory and regulatory recordkeeping requirements and any records pertaining to any pending legal action;
   2. Provide legal support on matters regarding CPRA requests to ensure proper compliance and prevent the release of information exempt from disclosure under the CPRA;
   3. Promptly process requests for destruction of obsolete records;
   4. Promptly request Legal Holds and when appropriate, releases of Legal Holds; and
5. Advise the City Clerk’s Office, City Manager and Chief Information Officer of any changes in legal requirements concerning the Records Management Program.

C. City Manager

1. Ensure compliance of Records Management Program activities by all City Department Heads in conjunction with existing policies adopted by the City Council.

D. Chief Information Officer (CIO)

1. Ensure prompt technical support to the City Clerk’s Office - Records Management Division, City Attorney, City Manager and Records Liaisons concerning the implementation of the RMP, including Legal Holds and CPRA related requests.
2. Coordinate with the Records Management Division the retention, transfer, storage, retrieval, and destruction of electronic records in accordance with the Records Retention Schedule or, when applicable, Legal Holds.
3. Review features of new information technologies that affect the management of electronic records with the Records Management Division.

E. Department Heads

1. Appoint and oversee Department Records Liaisons to ensure Department records are managed in accordance with the Records Retention Schedule.
2. Promptly review and approve records destruction certificates.

F. Records Liaisons

1. Coordinate with the Municipal Records Manager to ensure department records are maintained and protected in accordance with the Records Retention Schedule.
2. Forward to the Municipal Records Manager all requested changes to the Records Retention Schedule.
3. Coordinate destruction of obsolete Department records with the Municipal Records Manager.
4. Provide assistance to Department’s employees and representatives concerning all RMP related issues and activities.

Attachments:

1. Exhibit A – Examples of Records
2. Exhibit B – Examples of Non-Records
3. Exhibit C - Current List of Vital Records
4. All Inclusive Records Retention Schedule

Distribution:
All employees may access the Administrative Regulations via the SurfNet or City website: www.huntingtonbeachca.gov/AR
# ADMINISTRATIVE REGULATION

**OFFICE OF THE CITY MANAGER**

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**Robin Estanislau, City Clerk**
Initiating Department

**Eric G. Parra**
Interim City Manager

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**Approved as to Form**
Michael Gates, City Attorney

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## Review Schedule

<table>
<thead>
<tr>
<th>REVIEW DATE</th>
<th>DEPT. HEAD INITIAL</th>
<th>CITY MANAGER SIGNATURE</th>
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EXHIBIT A

EXAMPLES OF RECORDS

Records can exist in all formats or media, and may include, but are not limited to writings, drawings, graphs, charts, photographs, audio or video recordings, and electronic documents.

The list below is categorized into two and not a comprehensive list of Records. Employees who have questions about whether any document would be considered a Record should consult their Records Liaison and Records Retention Schedule applicable to their Department.

<table>
<thead>
<tr>
<th>Generally Disclosed Records</th>
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<tbody>
<tr>
<td>▪ Audit reports</td>
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<tr>
<td>▪ Contracts / Agreements</td>
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<tr>
<td>▪ Vendor invoices</td>
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<tr>
<td>▪ Purchase orders and authorizations</td>
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<tr>
<td>▪ Permits and licenses</td>
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<tr>
<td>▪ Project records</td>
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<tr>
<td>▪ City Council resolutions</td>
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<td>▪ Meeting Minutes</td>
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<td>▪ Election records</td>
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<tr>
<td>▪ Equipment / Vehicle repair files</td>
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<td>▪ Final version of presentations</td>
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</tbody>
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<table>
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<tr>
<th>Generally Non-Disclosed Records</th>
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<tbody>
<tr>
<td>▪ Employee personnel files</td>
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<tr>
<td>▪ Litigation Files</td>
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<tr>
<td>▪ Employee medical files</td>
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<tr>
<td>▪ Ongoing investigation files</td>
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</tbody>
</table>
EXHIBIT B

EXAMPLES OF NON-RECORDS

Following is a list of documents, electronic forms, supplies or ephemera that do not meet the definition of a record for the purposes of providing evidence of the City’s transactions.

- Extra copies of publications, pamphlets, and all blank forms. These are considered “supplies” rather than records.
- Incorrect version of documents, forms, or reports that must be regenerated to correct errors in typing, data entry, spelling, grammar, or format.
- Preliminary drafts of documents such as letters, memoranda, emails, reports, and worksheets which do not represent significant steps in the preparation of records, and which do not record decisions. Once such document is rendered, the working copies (drafts) are considered non-records.
- Working copies of documents used solely until the finished record is “rendered”, such as sending it to or receiving it from another employee or outside person.
- Phone messages used only to inform an employee that there was a missed telephone call.
  
  Note: voicemail recordings may fall under the definition of a record if the content meets the definition of a record.

- Reference materials not produced by the City such as dictionaries, library-type reference books, periodicals or other serial publications.
- Catalogs, trade journals, and other published materials received from outside organizations, industry organizations, commercial firms, vendors, or private institutions, which require no action and are not needed for documentary purposes. These materials are usually considered “library materials” and should be controlled as such but are not records.
EXHIBIT C
CURRENT LIST OF VITAL RECORDS
(subject to change)

- Council Policies and Procedures
- Minutes
- Resolutions
- Vital Record Storage
- Microfilm Program
- Administrative Regulations / Policies
- Disposition of Records
- General Obligation Bonds
- Revenue Bond - City and/or Agency
- Revenue Bond – Public Facilities Corp.
- Revenue Bond – Civic Improvement Corp.
- Revenue Bond – H.B. Public Finance Authority
- Tax Anticipation Revenue bonds/Notes
- Underground Utilities
- Special Assessment / Improvement Districts
- Redevelopment Project Areas:
  - Main-Pier Project Area
  - Oakview Project Area
  - Warner-Goldenwest Project Area
  - Talbert-Beach Project Area
  - Yorktown-Lake Project Area
  - Civic Center
  - Florida Utica Enhancement Area
  - Commodore Circle Funding Area
- Articles of Incorporation
- Annexations
- Easements / Deeds / Quitclaiims
- Tract Maps
• City Facilities Blueprints
• Infrastructure Maps (GIS)