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**CITY OF HOMER  
HOMER, ALASKA**

City Attorney/City Manager

**ORDINANCE 11-21(A)**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER,  
ALASKA, AMENDING HOMER CITY CODE 2.04.010,  
DEFINITIONS; AND AMENDING HOMER CITY CODE  
2.08.010, MANAGEMENT OF PUBLIC RECORDS;  
REGARDING THE MANAGEMENT OF CITY RECORDS.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 2.04.010, Definitions, is amended to read as follows:

2.04.010 Definitions. When used in this chapter, the following words shall have the meanings respectively ascribed to them in this section:

a. "Active records" means records that are in active use by a department in the transaction of official business.

b. "Electronic records" means records that are stored in an electronic or magnetic storage medium, and that are retrieved or read by a computer or other electronic device.

c. "Historic value" means the value of a record for use at a later date in reconstructing a general history of the development and government of the City.

d. "Inactive records" means records that have been transferred from departmental active records files to central storage for retention until their scheduled destruction.

e. "Legal value" means the value of a record for use as evidence in pending or threatened litigation or to document a legal relationship or event, including without limitation property and commercial transactions and legislative and judicial actions of the Homer City Council.

f. "Micromedia" means the filming media application meaning microfilm, microfiche, aperture or other recognized standard records film method.

g. "Record" means recorded information in any form, including without limitation any document, paper, book, letter, photograph, microfilm, map, drawing, chart, card, magnetic media or computer printout, developed or received under law or in connection with the transaction of official business and appropriate for preservation as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city or because of its informational value. The term "record" does not include:

1. Library and museum material developed or acquired and preserved solely for reference, historical or exhibition purposes, extra copies of documents preserved solely for convenience of reference, or stocks of publications and processed documents.

2. Reference documents.

3. Transitory documents.

h. "Record series" means a group of identical or related records which are normally used and filed as a unit and whose functional similarities permit their evaluation as a unit for retention scheduling purposes. Each record series shall be segregated according to the year of acquisition.

i. "Reference document" means a writing or image that is acquired or created solely for the purpose of creating or incorporation into a record, and includes without limitation, notes,

calculations, and working papers.

j. "Transitory document" means a writing or image that after its immediate use has no value as evidence of the organization, function, policies, decisions, procedures, operations, or other activities of the city, and includes without limitation transmittals, suspense copies when a reply has been received, routine requests for information, and routine appointment and scheduling requests.

k. "Vital records" means records that are necessary to assure continuance of essential governmental operations to protect the legal and financial operation of the City in the event of disaster or catastrophic loss of the City records.

Section 2. Homer City Code 2.08.010, Management of public records, is amended to read as follows:

2.08.010 Management of public records. a. Records Manager. The City Clerk is the Records Manager for the City. The City Clerk shall develop, maintain and coordinate the operations of the City's records management system. The City Clerk also shall provide for the physical security of all original signature documents classified as vital, or as having legal or historical value.

b. Department records liaison. Each department head shall appoint a departmental records liaison. The department records liaison shall be responsible for the organization and safekeeping of all active records in the department.

c. Records inventory. The City Clerk shall take and maintain an inventory of City records. The inventory shall be reviewed and revised annually, and shall set forth each record series being developed, used, stored or scheduled for disposal by the City.

d. Electronic records. The City Clerk shall cause electronic records to be inventoried, stored and destroyed in the same manner and at the same time as if the records were maintained in written, printed or photographic form.

e. Records classification and procedure. The City Clerk shall develop and provide each department with a records classification and procedures manual. The City Clerk shall review and update record series annually with each department records liaison to ensure that all active record series are adequately described, to provide for necessary changes, additions and deletions to the records classification and procedures manual, and to ensure compliance with state and federal law.

f. Inactive records storage. The City Clerk shall provide for and manage an inactive records storage center and shall develop a schedule for the annual relocation of inactive records to the storage center. Wherever possible, only one copy of each inactive record in a record series, and of duplicate inactive records series of two or more departments, shall be retained.

g. Records retention and destruction. The Council shall adopt by resolution a schedule setting forth minimum times for the retention of particular types of record series. The City Clerk annually shall provide for the destruction of records series whose retention periods have expired, after removing from each such records series for permanent preservation any records that are vital, or that have continuing historic or legal value. Not less than thirty days before destroying a record series, the City Clerk shall circulate to each department head for comment a detailed list

of all records series to be destroyed, and the department head shall recommend to the City Clerk which records in those record series may be vital or of continuing historic or legal value. The City Clerk shall maintain a permanent log of all record series which have been destroyed, and shall report to the City Council by March 31st of each year all records series to be removed from active departmental files to the inactive records storage center, and records series destroyed during the preceding year.

h. Records certification. The City Clerk or department records liaison having custody of a record that is open to public inspection under HCC Chapter 1.80 shall, upon request and payment of the fee therefor established by Council resolution provide a certified copy of the record, and the certified copy shall in all cases be evidence of the original.

i. Public inspection. Public inspection of records is governed by HCC Chapter 1.80.

j. Micromedia. The Clerk shall have the authority to provide for use of Micromedia; i.e. film, fiche, aperture or other appropriate application as determined to be the best suited for filming of the document. Records considered to be vital, or of historic or legal value shall be duplicated on Micromedia and deposited with the state archivist or in a secure, bonded vault physically removed from the City Administration Building.

Section 3. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 13<sup>th</sup> day of June, 2011.

CITY OF HOMER

  
JAMES C. HORNADAY, MAYOR

ATTEST:

  
JO JOHNSON, CMC, CITY CLERK

YES: 6

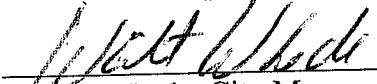
NO: 0

ABSTAIN: 0

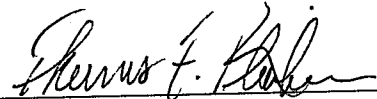
ABSENT: 0

133 First Reading: 05/24/11  
134 Public Hearing: 06/13/11  
135 Second Reading: 06/13/11  
136 Effective Date: 06/14/11  
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139 Reviewed and approved as to form:

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142 Walt E. Wrede, City Manager  
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144 Date: 6/16/11  
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Thomas F. Klinkner, City Attorney

Date: 6-22-11