

RICHARDSON BAY REGIONAL AGENCY

STAFF REPORT

For the meeting of December 14, 2023

To: Board of Directors
From: Brad Gross, Executive Director
Subject: Records Policy and Records Retention Schedule

STAFF RECOMMENDATION:

Approve Resolution 23-15 adopting the Records Policy and Records Retention Schedule for the Richardson Bay Regional Agency and as may be amended.

BACKGROUND:

It is a best practice among governmental agencies to establish a records management program that is based on a records retention and disposition schedule.

RBRA does not have a comprehensive records management program nor a retention and disposition schedule. Without such a policy and guidance for disposal, RBRA is subject to risk related to having in its possession records that are past their disposition period.

The Agency has recently undergone significant efforts to elevate its transparency as demonstrated on the Agency website. A comprehensive records management program and retention schedule helps move this effort even further along and aligns with local government best practices.

DISCUSSION:

In 2023, Richardson Bay Regional Agency began a comprehensive effort to elevate its compliance and transparent government efforts, to align with local municipal best practices and to build trust within the community served. These efforts led to broad changes to the Agency's website and illuminated the need for an Agency-wide records management program centered on a Records Retention and Disposition Schedule.

In October 2023, RBRA began constructing a records schedule based on legislative citations relevant to Joint Powers Authorities. These citations guide the appropriate timelines for keeping and deleting/destroying records in its possession. The proposed schedule identifies the records within the Agency's possession and consolidates similar record types to ensure accurate application of the schedule to the Agency's records.

RBRA will continue to monitor changes in regulatory requirements that may require future modifications to the schedule and will update as appropriate with notification to this Board.

ANALYSIS:

The draft policy will assist the Agency with its risk management. Possessing records past their retention period exposes the Agency to numerous costs, specifically those related to Public Records Act Requests (PRARs). These financial risks are comprised of:

Storage: Costs related to physical and digital storage of records not required to be retained.

Staff time: Upon receiving a PRAR, staff time is spent identifying records within its possession, saving to drives and/or making copies, spending time corresponding with the requestor(s), and collaborating with legal counsel.

Legal counsel review: Upon receiving PRARs, legal counsel may need to review records, recommend redactions, correspond with the requestor, and conduct other activities that would not be necessary had the records been disposed of appropriately.

Litigation: The Agency may subject itself unnecessarily to litigation related to its historical business or inject itself into litigation between parties not related to the Agency, due to its possession of records that should have been previously disposed of.

FISCAL IMPACT:

None.

NEXT STEPS:

Upon adoption of the Records Policy and Records Retention Schedule, staff will begin identifying those records in its possession that may be appropriately disposed of now and will begin to label and index other records to ensure their future destruction when they mature to their disposition period.

Attachments:

Attachment 1: RBRA Draft Records Management Disclosure & Retention Policy

Attachment 2: DRAFT Resolution 23-15 Adopting a Records Policy and Retention Schedule