



CITY AUDITOR'S OFFICE

City Clerk Operations

June 15, 2022

AUDIT NO. 2207

CITY COUNCIL

Mayor David D. Ortega
Tammy Caputi
Vice Mayor Tom Durham
Betty Janik
Kathy Littlefield
Linda Milhaven
Solange Whitehead



June 15, 2022

Honorable Mayor and Members of the City Council:

Enclosed is the audit report for *City Clerk Operations*, which was included on the Council-approved FY 2021/22 Audit Plan. This audit was conducted to evaluate controls over and effectiveness of City Clerk operations, such as management of elections, official records, minutes and legal notices, and records retention.

The records management program can be improved by providing regular, comprehensive training to departmental records coordinators and ensuring complete, accurate inventories and destruction certificates. As well, computer-based trainings for records management and for board and commission support staff could improve availability.

If you need additional information or have any questions, please contact me at (480) 312-7867.

Sincerely,

A handwritten signature in blue ink that reads "Sharron Walker".

Sharron E. Walker, CPA, CFE, CLEA
City Auditor

Audit Team:

Elizabeth A. Brandt, CIA, CGAP, CPM – Sr. Auditor
Brad Hubert, CIA, CGAP, CRMA – Sr. Auditor

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AUDIT HIGHLIGHTS

City Clerk Operations

June 15, 2022

Audit No. 2207

WHY WE DID THIS AUDIT

The City Clerk Operations audit was included on the City Council-approved fiscal year (FY) 2021/22 Audit Plan. The audit was conducted to evaluate controls over and effectiveness of City Clerk operations, such as official records, minutes and legal notice management and records retention management.

BACKGROUND

The current City Clerk was appointed in March 2021. The City Clerk is responsible for giving notice of City Council meetings and keeping the official record of Council proceedings; conducting fair and open municipal elections; managing compliance with legal postings; and administering the accumulation, preservation, and accessibility of public records.

City Auditor's Office

City Auditor 480 312-7867
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WHAT WE FOUND

The City's Records Management Program can be improved by aligning enhanced program activities under a cyclical process.

- Training is not comprehensive and has not been provided since 2019.
- Records inventories do not appear up to date, and 12 of the 174 records series reviewed contained inaccurate information.
- Many City departments are not submitting a Certificate of Records Destruction annually. Further, 19 of the 20 certificates reviewed had issues, including records destroyed early or late or having inaccurate or missing information.
- Monthly records inspections have not occurred since 2019, and the current records management processes are manual.

An opportunity exists to improve Board and Commission-related staff training.

Computer-based trainings could be more readily available for public meeting notice, agenda, and minutes posting requirements for staff liaisons.

WHAT WE RECOMMEND

We recommend the City Clerk:

- Develop a comprehensive records management training that includes in-person and computer-based options.
- Ensure Records Inventories and Certificates of Records Destruction are current and accurate, and resume records inspections.
- Automate key tasks where feasible and consider offering computer-based training.

MANAGEMENT RESPONSE

The City Clerk agreed with the recommendations and plans implementation by March 2023.

BACKGROUND

As one of six charter officers specified in the Scottsdale City Charter, the Clerk is appointed by and reports directly to the City Council. The City Clerk is responsible for giving notices of all Council Meetings and keeping the records of Council proceedings; administering timely and accurate accumulation, preservation, and accessibility of public records; conducting fair and open municipal elections; and managing compliance with legal postings. The current City Clerk was appointed in March 2021.

Many of the City Clerk's duties and responsibilities are mandated by state law and city rules and regulations, as summarized in Figure 1.

Figure 1. City Clerk Duties and Responsibilities

City Council

- Give notice and keep the official record of City Council meetings.
- Attest official actions, ordinances, resolutions, contracts, bonds, and other formal agreements.
- Provide administrative support to the City Council and keep records of all Council-transacted business.

Records Management

- Administer the city's records management program and act as the city's liaison to the Arizona Library, Archives and Public Records department.
- Ensure accurate records retention schedules are maintained and adhered to, as required by State law.
- Protect and preserve the city's permanent records, including ordinances, resolutions and contracts approved by City Council.

Municipal Elections

- Serve as the city's elections official, overseeing the city's primary, general, and special elections.
- Process city candidate, referendum, initiative, and recall petitions.
- Prepare election informational pamphlets.

Boards and Commissions

- Coordinate the Council-appointed public bodies, including posting meeting notices, agendas, minutes, and member appointments.
- Provide orientation and training for Board and Commission members and staff liaisons.

Legal Filings

- Accept legal filings on behalf of the City, including claims, subpoenas, summons, garnishments, and legal protests.

SOURCE: Auditor's review of City Charter, Scottsdale City Code, City Administrative Regulations, and City Clerk documents.

Records Management

Scottsdale Revised Code and administrative regulations establish the City Clerk as the Chief Records Management Officer, responsible for the city's records management program to ensure staff maintain, store, retrieve, and dispose of records in accordance with the State Library, Archives and Public Records (State Library) Retention Schedules. The State Library also requires records disposal at the end of retention periods, noting that keeping records longer than needed poses financial, legal, audit, and investigative risks.

Records Definition

"All books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, ... made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation ... as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of ... the record."

SOURCE: Arizona Revised Statutes §41-151

The City Clerk has designated a city Records Manager, who is responsible for the day-to-day oversight of the records management program (program) to ensure compliance with city and state rules and regulations. Divisions and offices (departments) are responsible for their own records management compliance and assign Records Coordinators to oversee their retention, preservation, and disposition of records. Some of the key responsibilities of the Coordinators include maintaining a current inventory of their department records, identifying, and disposing of records that have met retention requirements, identifying, and transferring inactive records to the City's offsite storage facility and notifying the City Records Manager when records management responsibilities are transferred to another individual.

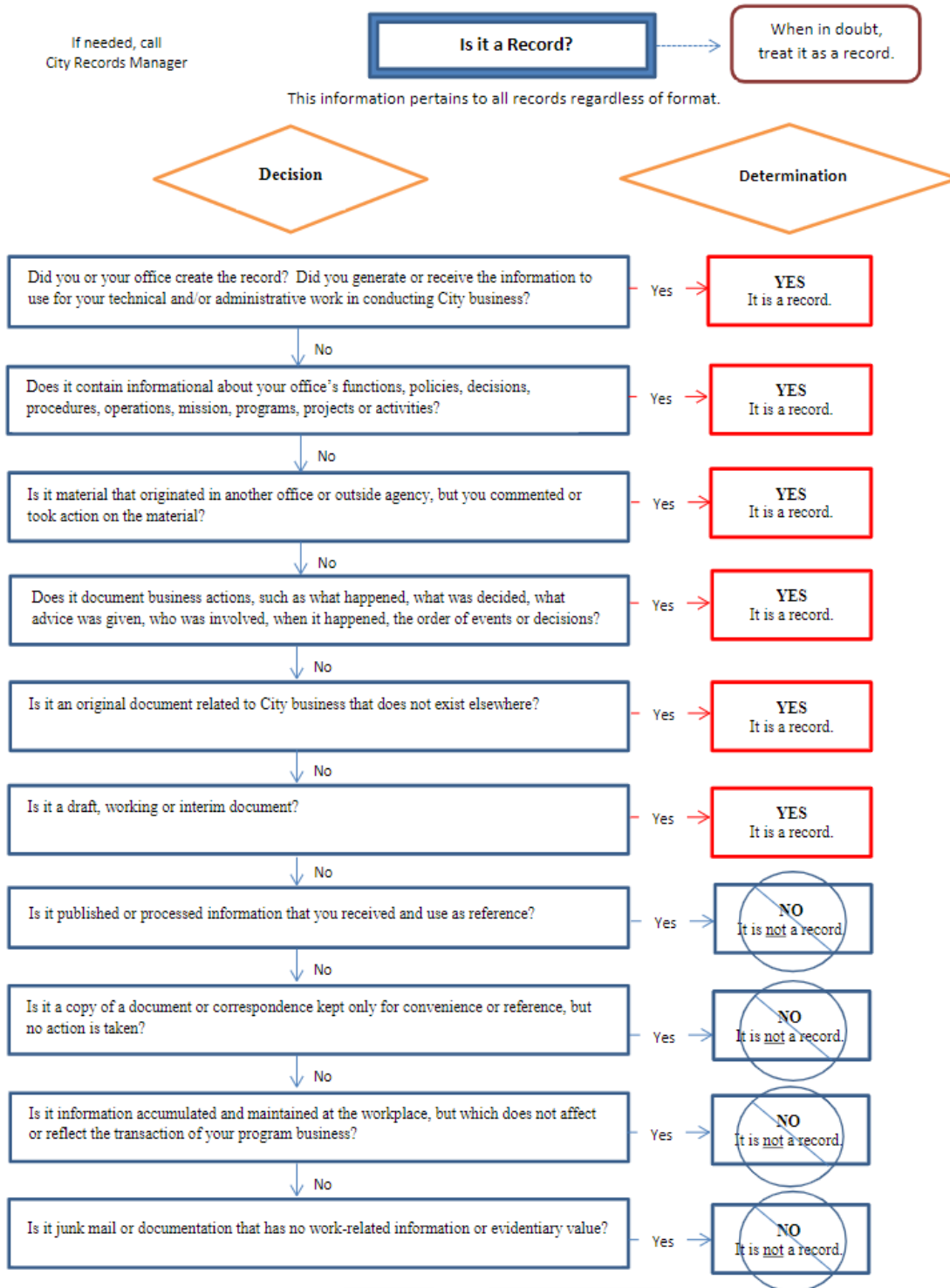
To assist city staff with records management compliance, the City Clerk's Office maintains a Records Management Manual and other documents specifying program requirements and provides guidance and support to Records Coordinators. Figure 2, on page 5, is an illustration developed by the City Clerk's Office to help employees identify applicable records.

Record Storage

City records, regardless of the form, are to be retained in accordance with established retention periods, and the City has both electronic and paper document management systems.

Electronic document management systems provide records management by allowing set retention periods, identifying records that are eligible for destruction, generating destruction lists, and deleting those records.

Figure 2. Is it a Record?



SOURCE: Diagram dated December 2017, obtained from City Clerk's Office SharePoint.

Departments usually retain paper records that are considered “active” on site for ease of access. Paper records that are accessed infrequently but not yet eligible for disposition are considered “inactive” and may be stored at the City’s offsite facility.

Since 2017, the City has stored between 8,200 and 8,800 boxes at the offsite facility and approximately 9 million records in the electronic document management system.

Operating Expenses

As summarized in Table 1, the City Clerk’s Office expenses total about \$1 - \$1.2 million from fiscal years 2018/19 through 2020/21. While annual office expenses primarily consist of personnel services, election costs are primarily composed of payments to Maricopa County, which provides ballots and tabulates results for City elections. The County charged from \$0.50 to \$2.12 per voter, partly depending on whether the City’s election was held in conjunction with other elections. Additional costs include charges for translation, printing, and postage.

Table 1. City Clerk’s Office Expenses by Fiscal Year

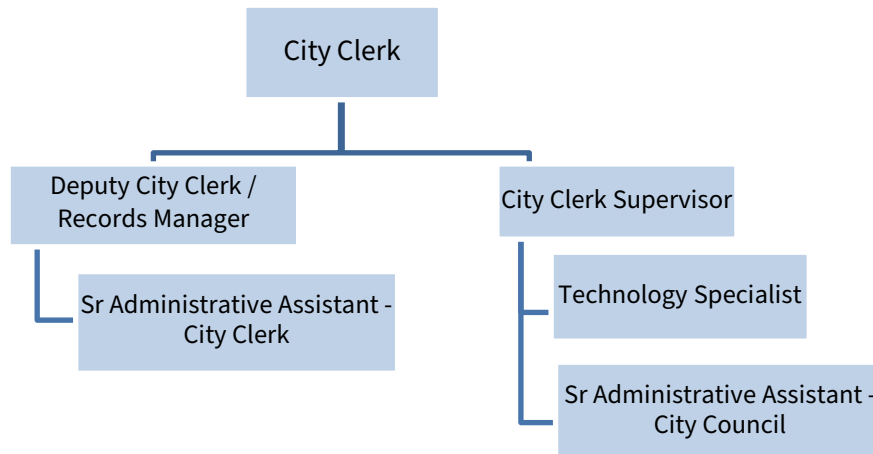
City Clerk	2017/18	2018/19	2019/20	2020/21	2021/22 ^a
Personnel Services	\$645,798	\$723,117	\$766,515	\$910,422	\$682,728
Contractual Services	76,985	78,130	70,219	58,767	53,246
Commodities	2,212	2,029	1,123	1,822	1,329
Elections					
Contractual Services	\$7,080	\$197,131	\$320,705	\$273,365	\$434,376
Commodities	0	89	78	2,528	127
Total	\$732,075	\$1,000,496	\$1,158,640	\$1,246,904	\$1,171,806

^a Through May 31, 2022

SOURCE: Auditor analysis of SmartStream reports from FY 2017/18 through FY 2020/21.

As shown in Figure 3 on page 7, the City Clerk and five full-time employees staff the office. Staff members have earned various certifications, including Certified Municipal Clerk and Master Municipal Clerk through the International Institute of Municipal Clerks, elections certifications through the Arizona Municipal Clerks’ Association, and Certified Election Officers through the Arizona Secretary of State’s office.

Figure 3. City Clerk’s Office Organizational Chart



SOURCE: City Clerk’s Office organizational chart, updated March 2021.

Process Improvements

The current City Clerk has implemented process improvements, including use of the Arizona Secretary of State’s E-equal system to allow candidates to collect petition signatures online. While making adjustments during the pandemic restrictions, the Clerk also implemented electronic sign-up for members of the public to provide comments at City Council meetings. As restrictions eased, he continued this practice with electronic sign-ups available either through the City website or a City Hall kiosk. The Clerk also is currently providing monthly updates to the Mayor and City Council regarding board and commission member resignations.

As well, the City Clerk is currently working to allow city candidates to use the Secretary of State’s online Campaign Finance Reporting System. Other ongoing improvement projects include working with the City Attorney to update the Council Rules of Procedure and working with the City Manager to streamline management of the Board and Commission nomination and appointment processes and the Council agendas and related documents.

OBJECTIVES, SCOPE, AND METHODOLOGY

An audit of *City Clerk Operations* was included on the City Council-approved fiscal year (FY) 2021/22 Audit Plan. The audit objective was to evaluate controls over and effectiveness of City Clerk operations such as official records, minutes and legal notices management, and records retention management.

To gain an understanding of the City Clerk's processes and controls, auditors interviewed the City Clerk, Deputy City Clerk, City Clerk Supervisor, and the Contract Administrator for the offsite records storage contract. We also reviewed:

- Prior related City Auditor's reports including Audit Report No. 9201, *City Clerk Operational Audit*; Audit Report No. 0301, *Preservation, Maintenance, Care and Disposition of Public Records*; and Audit Report No. 0703, *Public Notices and Agendas, Legal Publications, and Minutes*.
- City Clerk financial information, including Budget Books for FY 2021/22 and Smart Stream reports for FY 2016/17 through FY 2021/22.
- Applicable laws, regulations and procedures including:
 - Arizona Revised Statutes (ARS) Title 41, Chapter 1, Article 2.1 *Arizona State Library, Archives and Public Records Established in the Office of the Secretary of State*.
 - The City's Administrative Regulations (AR) 121 - *Legal Postings* and AR 295 - *Citywide Records Management Program*.
 - City Charter and Scottsdale Revised Code Chapter 2, Article III, Division 4. *City Clerk*.
 - Records Management Manual and procedures provided by the Clerk's Office or available through the SharePoint site.
 - Arizona State Library, Archives & Public Records' General Retention Schedules and Systems Design Considerations.
 - Reviewed information for other municipal clerks' offices including City of Phoenix, City of Chandler, Town of Gilbert, City of Mesa, City of Tempe, City of Glendale, and City of Peoria.

To evaluate controls over and effectiveness of Clerk's Office operations, we:

- Reviewed Board and Commission support documentation, including a list of members and assigned liaisons, applicable training materials, and liaison communications and monitoring procedures related to quality and timeliness of legal postings.
- Reviewed documents related to creating City Council Agenda packets, including applicable training materials, procedures, checklists, and agenda planners. To assess internal controls and risks, we selected a preliminary sample of five Council meetings and verified compliance with legal posting requirements.

- Reviewed City municipal election information, including a candidate handbook, candidate forms and the City Clerk’s recent and planned improvements.
- Reviewed records management information, including:
 - Contract with Iron Mountain for offsite records storage and shredding services.
 - Records management training materials used by the City as well as those the current City Clerk previously used at the City of Phoenix.
 - A sample of 11 of the City’s 75 Record Inventory forms. Auditors compared 174 record series listed in these 11 inventories to the State Library Retention Schedules.
 - A sample of 20 of 74 Certificates of Records Destruction the City Clerk’s Office received from July 2021 through April 2022. Auditors compared 64 records series listed in these 20 certificates to State Library Retention Schedules and City Records Inventories and their retention periods.
- Surveyed 40 City employees from the City Clerk’s Office list of 59 Records Coordinators regarding their records management training and experience. Thirty of 40 City employees completed the survey for a response rate of 75%. The 19 individuals who were not surveyed included 17 who are now former employees and the City Auditor’s and the City Clerk’s listed representatives.
- Assessed the City Records Manager’s involvement in the implementation of and training for the City’s new document management system.

Our audit concluded that the records management program can be improved by aligning enhanced program activities under a cyclical process, and an opportunity exists to improve Board and Commission-related staff training.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Audit work took place from March to May 2022.

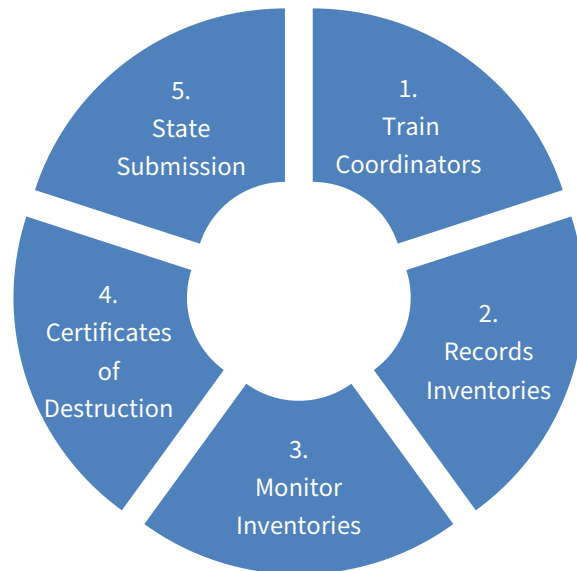
FINDINGS AND ANALYSIS

1. The City's Records Management Program can be improved by aligning enhanced program activities under a cyclical process.

The City's Records Management program addresses records maintenance, storage, retrieval, preservation, and disposition as required by State law. The City Clerk fulfills an oversight role in this program, while departmental Records Coordinators perform day-to-day records management tasks in their respective areas. The program requires certain key steps that fit into a cyclical process, as illustrated by Figure 4.

Figure 4. Records management activities can be aligned into a cyclical process.

- 1 Records Manager trains Records Coordinators on responsibilities
 - 2 Coordinators submit Records Inventories with record series and retention periods
 - 3 Records Manager monitors Records Inventories for timely submission and reviews for accuracy
 - 4 Coordinators submit Certificates of Records Destruction
 - 5 After review, Records Manager submits certificates to State Library
- Ongoing Activities:
- ✓ Advise and support Coordinators
 - ✓ Perform monitoring visits



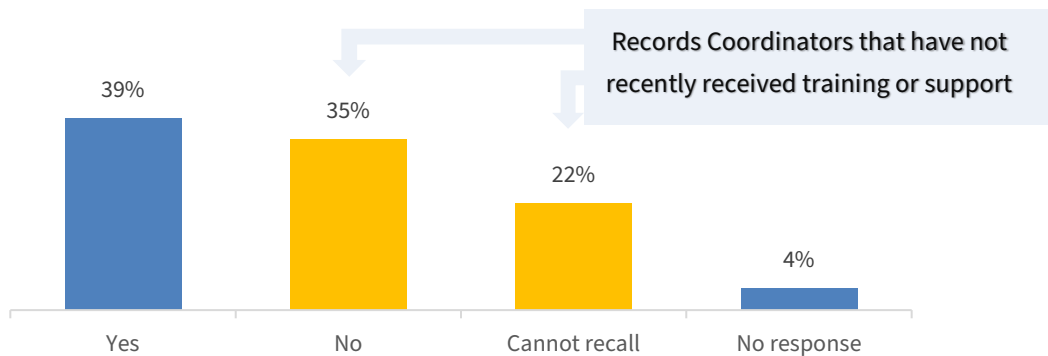
SOURCE: Auditor analysis of Clerk's Office processes and outlined opportunities for improvements.

- A. To be successful, the departmental Records Coordinators need to understand their role and responsibilities as well as the fundamental requirements of public records management. We surveyed the departmental Records Coordinators to ask about training and other support received.

1. Thirty of the 40 surveyed Records Coordinators responded, with six stating they were no longer assigned the role and one unsure whether this was part of their current role.¹ Although departments are required to notify the Records Manager when the assigned Records Coordinator changes, the current list was not up to date. As a result, providing the training and support needed for records management responsibilities is more difficult.
2. The City Clerk’s Office, together with the assigned staff attorney, last provided a formal records management training for Records Coordinators in April 2019. While this biannual in-person training was suspended due to the pandemic, the Records Manager reported continuing to provide one-on-one training and support when requested.

However, as illustrated in Figure 5, many Coordinators responded to our survey that they have not received training or one-on-one support within the last few years. Their additional survey comments noted having little records retention training, wanting a refresher training to ensure compliance with requirements, needing further clarification on some key definitions, needing the biannual meetings to review requirements, and valuing the support and guidance when received.

Figure 5. Did you receive training or one-on-one support from the City Records Manager (City Clerk’s Office) in 2020, 2021 or 2022?



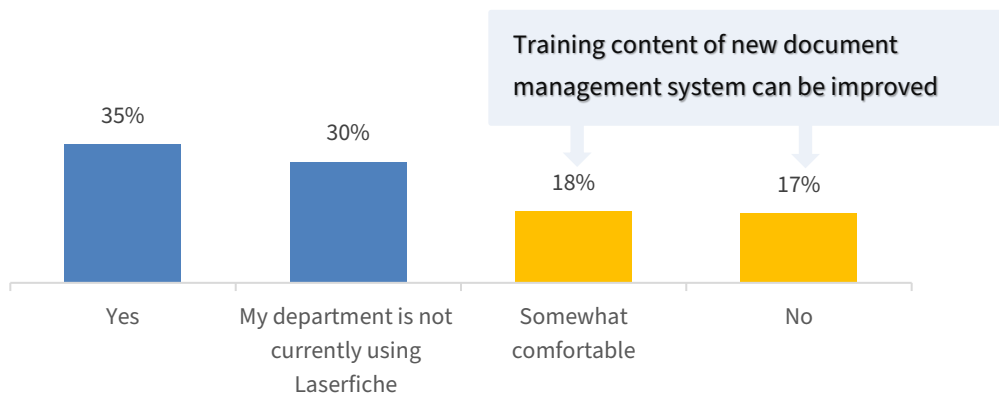
SOURCE: Audit survey results from 23 of 30 survey respondents. Results exclude responses from 7 employees who reported not currently performing Records Coordinator duties.

¹ Auditors surveyed 40 Records Coordinators from the City Clerk’s Office’s list of 59. Of the 59, auditors excluded 17 individuals who were no longer city employees, and two who represent the City Auditor’s and City Clerk’s offices. Thirty of 40 Records Coordinators completed the survey for a survey response rate of 75%.

Further, the 2019 group training focused on use of the offsite records storage facility and legal concepts, such as the definition of a record and public records requests. The training material did not fully address the coordinator role and responsibilities.

Since March 2022, the City has begun transitioning to a new electronic document management system. Our survey asked coordinators who are using the new system to rate their familiarity with it. Some Coordinators reported not being fully comfortable with the new system, as illustrated in Figure 6.

Figure 6. Are you confident you know how to perform records management in the new electronic document management system? *



* Defined in the survey as “set a retention period, set a destruction date, create a report with the data needed to prepare the Certificate of Records Destruction.”

SOURCE: Audit survey results from 23 of 30 survey respondents. Results exclude responses from 7 employees who reported not currently performing Records Coordinator duties.

Some key considerations that the State Library recommends when a system is being implemented, and that can be addressed through training, include:

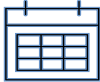



- How are retention periods updated in the system when retention requirements change?
- How will records be deleted from the system when their retention period has lapsed?
- How will records be protected from deletion when there is a hold for destruction?
- How will records with permanent retention be preserved?

Although this new document management system will determine how the City’s electronic records are retained, the City Clerk’s Office has not yet been involved in the training and implementation being provided by the Information Technology department. Certain aspects, such as whether to set records management properties on permanent records in the system,

should be evaluated from a records management perspective rather than based solely on the vendor’s training suggestions.

The City Clerk’s Office is in the process of revising the existing records management training content and expects to deliver updated training later this year. Figure 7 outlines several key training elements to consider.

Figure 7. Key elements of an effective records management training program.

<p>Frequency</p> 	<p>The training program should provide an initial training when the Records Coordinator is assigned to the role and a refresher training annually.</p>
<p>Attendees</p> 	<p>All Records Coordinators should be required to attend training. As well, other staff who have records management responsibilities, such as managing the offsite records storage, retrieval, and disposition, should be included.</p>
<p>Format</p> 	<p>Having both in-person and computer-based training (CBT) can ensure that consistent training content is effectively delivered and available when needed. On-demand CBT modules would allow any City staff to easily review records management requirements.</p>
<p>Content</p> 	<p>The training should address key responsibilities including maintaining current Record Inventories, identifying records that have met retention requirements, preparing and submitting Certificates of Records Destruction. Training should also address off site and electronic records management.</p>

SOURCE: Auditor analysis of Records Management program.

- B. Records Inventory information helps assure the City properly manages its public records in accordance with state law and city policy. As noted in the textbox, among the key elements are record retention periods and a cross-reference to the state retention schedules.
 - 1. Although the Records Retention Manual requires that Records Inventories be updated at least every two years, a process has not been established to document and ensure that this occurs. Instead, the Records Manager

Records Inventory Key Data

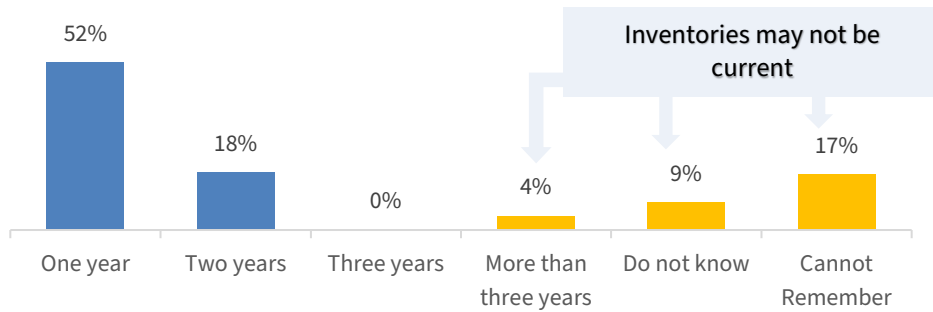
- Record series (the record type, e.g., financial reports, contracts)
- State retention periods
- City retention periods
- Related State Library Retention Schedule reference

SOURCE: Records Inventory form

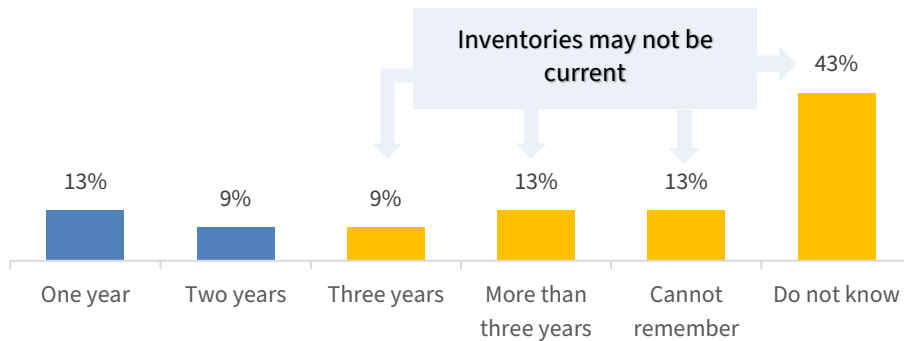
requests updates when she becomes aware of changes to the State Library Retention Schedules. Based on the inventory dates and lack of other review documentation, 70 of 75 Records Inventories maintained by the Records Manager, or 93%, did not indicate that they were updated within the last two years. However, the documents may be current if reviewed but no changes were deemed necessary. As illustrated by Figure 8, many Coordinators responded to our survey that they have reviewed but not updated the inventories. However, about 30% of the Coordinators noted that their inventories may not be current.

Figure 8. When did you last review and update your department’s Records Inventory?

Reviewed Inventory



Updated or Changed Inventory



SOURCE: Audit survey responses from 23 of 30 survey respondents. Results exclude responses from 7 employees who reported not currently performing Records Coordinator duties.

Tracking review requests, responses, and response dates can help assure that Records Inventories are kept current, in accordance with the records management program.

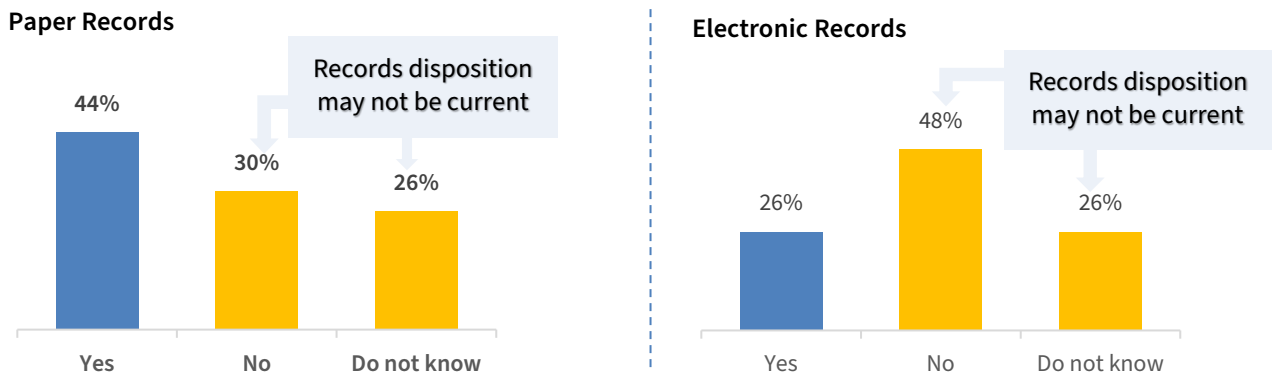
2. Twelve of the 174 records series listed in the 11 inventories we selected for review contained inaccuracies. Five record series had inaccurate retention periods and seven record series had inaccurate references to State Library Retention Schedules or retention remarks. Because departments use Records Inventories to determine when to destroy records, the records retention information must be accurate and align to State retention requirements.
- C. The Records Management Manual requires Records Coordinators to file a Certificate of Records Destruction with the City Clerk’s Office when destroying department’s records. However, when departments do not file Certificates of Records Destruction at least annually, it is unclear whether they do not have records needing to be destroyed or if further guidance is needed.
1. Based on the Records Manager’s tracking sheet, 38 of 66 departments (or 58%) did not submit a Certificate of Records Destruction from January 2021 through April 2022. From calendar year 2018 through 2020, 19 of 63 (30%) departments did not submit Certificates of Records Destruction. Additionally, as illustrated in Figure 9, when responding to our audit survey, more than 50% of Records Coordinators noted they have not destroyed electronic and paper records during the last couple of years or do not recall doing so.

Records Retention Requirement

All City Records must be destroyed once the retention period in the Records Inventory is reached. Unless there is a litigation hold or has been approved by the City Records Manager, it is not permissible to retain records longer than the retention period.

SOURCE: City Records Management Manual

Figure 9. Has your department destroyed or authorized the disposition of records during 2021 or 2022?



SOURCE: Audit survey responses from 23 of 30 survey respondents. Results exclude responses from 7 employees who reported not currently performing Records Coordinator duties.

One Records Coordinator reported needing a better understanding of the type of electronic records that qualify for destruction. Others indicated the form's instructions were not clear. In fact, one Records Coordinator sends Certificates of Records Destruction directly to the State Library rather than to the City Clerk's Office. Although the Records Management Manual instructs Coordinators to submit the Certificates to the City Records Manager, the state form that is currently used includes instructions that it is to be sent to the State Library. Developing a City form with instructions on how to complete the form using offsite storage and document management system reports and where to submit it could avoid this confusion. As an alternative, City-specific instructions could be attached to the State Library form.

2. The Records Manager files the City's records destruction certificates with the State Library at least annually as required by Arizona Revised Statute (ARS) §41-151.19. However, 19 of the 20 Certificates that we sampled contained one or more issues, including:
 - Two record series were destroyed prior to their eligible destruction dates. One series was destroyed about 9 months prior to the eligible destruction date while the second series was destroyed four years prior.
 - Eight certificates had inaccurate information, with seven of these certificates filed by the same Records Coordinator. Another eight certificates were missing destruction eligibility dates. The missing destruction eligibility dates occurred because the departments used an outdated form. Based on the applicable records retention periods, however, these records were disposed at the proper time.
 - Ten certificates listed records that were held past their eligible destruction dates. Most of these records were eligible for destruction in 2019 or earlier.

Reviewing Certificates of Records Destruction prior to submitting them to the State Library can identify issues that require one-on-one guidance to ensure accuracy and proper records disposition.

- D. Although the Records Manager responsibilities include performing monthly records inspections, the monitoring visits have not been performed since 2019. The Records Manager explained that visits have not been performed for the last couple of years due to the pandemic, but there are plans to reinstitute them later this year. These onsite visits provide opportunities to give more specific guidance to departmental coordinators. Supporting its value, a former Records Coordinator responding to our survey noted appreciating the Records Manager's inspection that was performed about three years ago.

When restarted, the inspections can be more comprehensive by also reviewing offsite and electronic records storage and management. The most recent inspections identified the records locations and reviewed the applicable Records Inventories and documented retention periods. With more records being created and retained in electronic systems, these areas become more important to monitor.

- E. The current records management processes are manual and time-consuming. Automating the key tasks could help maintain the Records Coordinator list, ease maintenance of up-to-date Records Inventories and document their annual reviews, streamline the preparation of Certificates of Records Destruction, and send scheduled reminders for records management tasks.

Recommendations:

The City Clerk should:

- A. Develop a records management training program that includes in-person and computer-based training options and provide the training to, at a minimum, the departmental Records Coordinators and other staff with records management responsibilities. As well, the training program should address how to apply requirements to electronic documents, such as those in the City's document management system.
- B. Create a process to ensure annual or biannual reviews of Records Inventories, including tracking review request dates, responses, and date the inventory was last reviewed. Also, ensure the records inventories are reviewed for accuracy and to address any discrepancies with State Library retention requirements.
- C. Require the Records Manager to contact departments that do not submit Certificates of Records Destruction at least annually to determine if additional guidance is needed. Also, review the submitted certificates for accuracy before filing them with the state. Further, consider creating a City form to collect the required record destruction data or attaching Scottsdale-specific instructions to the State Library form to clarify the process to be followed.
- D. Resume records inspections and update the Records Inspection Report form to include offsite records storage and electronic records management.
- E. Collaborate with Information Technology to automate, where feasible, the key tasks required for timely, accurate and compliant records management.

2. An opportunity exists to improve Board and Commission-related staff training.

The City Clerk's Office can enhance the availability of its trainings for board and commission staff liaisons.

The City Clerk is responsible for providing certain training for board and commission staff liaisons focusing on state and city legal requirements for public meeting notices, agendas, and minutes.

These trainings are provided individually by a member of the Clerk's staff although prior to the pandemic, staff liaison training was provided in a group setting. As an alternative, providing on-demand computer-based training would ensure consistent training content and could allow for

more flexible timing. It would also allow staff liaisons to review the training when they need a refresher on any particular aspect of their responsibilities.

Recommendation:

The City Clerk should consider providing on-demand computer-based trainings for Board and Commission staff liaisons as an alternative or supplement to the current individual training.

MANAGEMENT RESPONSE



City Clerk's Office

3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

PHONE 480-312-2412

Date: June 14, 2022
To: Sharron Walker, City Auditor
From: Ben Lane, City Clerk
Subject: Audit No. 2207 – City Clerk Operations

I am very appreciative of the thorough review of City Clerk Operations conducted by your team of Senior Auditors Elizabeth Brandt and Brad Hubert. The Audit team reviewed all facets of City Clerk operations, including agenda posting and Open Meeting Law compliance, boards and commissions, elections, processing of legal documents (such as claims against the City), records management, and budget functions.

The Audit team's findings were very helpful and will help us improve oversight of the City's records management program. The audit reviewed documents from 2019 through 2021. During this period, the Clerk's Office was short-staffed due to extended leaves of absences, multiple elections were held, a referendum petition was submitted, and as noted in the report, there was a pandemic.

The City Clerk's Office is proud of several recent process improvements that have been implemented, including the use of an online system to gather candidate nomination petitions and streamlined methods for taking citizen input at City Council meetings. The Clerk's Office looks forward to adding to this list of improvements by implementing recommended changes to the City's records management program. These needed changes will be discussed with City leadership in the coming months and implemented over the next nine months.

Please contact me with any questions at 480-312-2411 or blane@scottsdaleaz.gov.

Attachment #1 – Management Action Plan Response – City Clerk Operations

MANAGEMENT ACTION PLAN

1. The City's Records Management Program can be improved by aligning enhanced program activities under a cyclical process.

Recommendations:

The City Clerk should:

- A. Develop a records management training program that includes in-person and computer-based training options and provide the training to, at a minimum, the departmental Records Coordinators and other staff with records management responsibilities. As well, the training program should address how to apply requirements to electronic documents, such as those in the City's document management system.
- B. Create a process to ensure annual or biannual reviews of Records Inventories, including tracking review request dates, responses, and date the inventory was last reviewed. Also, ensure the records inventories are reviewed for accuracy and to address any discrepancies with State Library retention requirements.
- C. Require the Records Manager to contact departments that do not submit Certificates of Records Destruction at least annually to determine if additional guidance is needed. Also, review the submitted certificates for accuracy before filing them with the state. Further, consider creating a City form to collect the required record destruction data or attaching Scottsdale-specific instructions to the State Library form to clarify the process to be followed.
- D. Resume records inspections and update the Records Inspection Report form to include offsite records storage and electronic records management.
- E. Collaborate with Information Technology to automate, where feasible, the key tasks required for timely, accurate and compliant records management.

MANAGEMENT RESPONSE: Agree

PROPOSED RESOLUTION:

- A. A revised training program is being developed that will include an in-depth in-person component which will be conducted at least twice yearly. One component of the training will address how to manage records stored in the City's document management system. This will be completed by December 2022. Additionally, a computer-based training option will be developed that will provide a high-level overview of records management functions and responsibilities. This will be completed by March 2023.

- B. Records inventories will continue to be reviewed on an annual calendar-year basis. In addition to noting any changes through a “Last Updated Date”, a second notation will be added “Last Reviewed Date” to indicate when the inventories were last reviewed by City Clerk staff. This will be completed by December 2022.
- C. A cover page will provide additional guidance on how to correctly fill out a destruction request. Additionally, the Deputy City Clerk is now reviewing all destruction requests to ensure the forms are filled out correctly and the records retention period has been met. The City Clerk’s Office will follow-up on an annual basis with any departments that are not submitting destruction requests. This will be completed by January 2023.
- D. Records inspection will resume in July 2022 and the Records Inspection Report form will be updated to include offsite records storage and electronic records management. This will be completed by August 2022.
- E. We will work with Information Technology to create an online solution where Records Officer information can be updated and records destruction requests can be submitted. This will be completed by February 2023.

RESPONSIBLE PARTY: City Clerk Ben Lane and Deputy City Clerk Cathie Butteweg

COMPLETED BY: 3/31/2023

2. An opportunity exists to improving Board and Commission-related staff training.

Recommendation:

The City Clerk should consider providing on-demand computer-based trainings for Board and Commission staff liaisons as an alternative or supplement to the current individual training.

MANAGEMENT RESPONSE: Agree

PROPOSED RESOLUTION:

In-person and virtual training sessions are currently held with staff to review items related to AR121 Legal Postings, and the Arizona Open Meeting Law. These trainings allow personalized sessions and focus on departmental specific issues, scenarios, and questions. Additionally, a computer-based training option will be developed that will provide a high-level overview of board and commission functions and responsibilities. This will be completed by February 2023.

RESPONSIBLE PARTY: City Clerk Ben Lane and City Clerk Supervisor Rommel Cordova

COMPLETED BY: 2/28/2023

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Brad Hubert, Senior Auditor
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