

RESOLUTION NO. 2023-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING AN ELECTRONIC E-MAIL MANAGEMENT POLICY

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, E-mail may consist of correspondence, communication and other documentation, which can be considered City records subject to the requirements of the California Public Records Act, as well as the City's Records Retention Schedule; and

WHEREAS, the City seeks to comply with applicable State record retention laws by adopting a policy of E-mail management and retention, as well as, a schedule for destruction of same; and

WHEREAS, E-mail systems are not designed for long-term retention of messages; and

WHEREAS, it is the responsibility of the user to determine if an e-mail message is an official record and is covered within the scope of City's records retention schedules; and

WHEREAS, e-mail that becomes part of an official records should be acted upon and maintained within a separate project file outside of the mail system; and

WHEREAS, all e-mail messages will be electronically deleted by the City's Information Technology Department two-years after the date of sending or receipt; and

WHEREAS, all e-mail messages that are subject to the City's records retention schedule need to be evaluated and saved by alternative means if necessary before that time; and

WHEREAS, employees having questions about whether a particular message needs to be retained should direct their questions to the City Clerk's Office who will receive advice and recommendation from the City Attorney's Office as to its retention value, including e-mails that may be related to litigation matters; and

WHEREAS, electronic e-mail backups performed by the Information Technology Department are for Disaster Recovery purposes only.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa:

SECTION 1. The City Council of the City of Costa Mesa hereby adopts the E-mail Management Policy, attached hereto as Exhibit "A" and incorporated herein by this reference.

SECTION 2. The City Clerk shall certify adoption of the resolution.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this ___ day of _____, 2023.

John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

Brenda Green, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2023-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the ___ day of _____, 2023, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this ___ day of _____, 2023.

Brenda Green, City Clerk