

Staff Report

**CITY COUNCIL EMAIL POLICY & CITY COUNCIL MEETINGS WEBSITE  
RETENTION GUIDELINES**

June 26, 2018

**BACKGROUND:**

Over the past months, the staff has received requests to change our procedures for dealing with two issues; 1) Council group emails and 2) City Council meetings packets retention on the City's website. Before any changes are made, it is appropriate for the total City Council to provide direction regarding these issues.

**ISSUE 1: CITY COUNCIL GROUP EMAIL:**

The City Council group email was established to provide a method to more conveniently e-mail all City Council members at once. After some complaints, staff discovered security measures used by e-mail providers to strengthen authentication technologies and detect fraudulent messages created a situation when some e-mails would not be received by all Council members. Instead, the correspondence would be rejected. The situation is complicated by Council members using multiple e-mail providers and e-mail providers changing authentication protocols. **Therefore, E-mails may get through to some Council members' e-mail accounts while being rejected by other Council members who use a different provider.**

All City Council members are currently using personal e-mail accounts to conduct City business; while the Mayor uses a City of Ames e-mail account for City business. **Across Iowa, there is a trend for elected City officials to shift to a City e-mail account for City business, with the vast majority of larger cities in Iowa now using only City e-mail addresses for all elected officials.** The decision to use a City e-mail account or a personal account for official City business is ultimately a policy decision for the Mayor and Council. The following information highlights the pros and cons of both options broken down by various topics.

**Open Records**

E-mails sent or received by public officials are often the subject of public records requests. Certain correspondence including attorney-client communications and confidential personnel information is not subject to public records request. From time to time, the City is involved in legal action where the City Attorney provides notice of a litigation hold and records including e-mail that may be related to current or pending litigation must be segregated and retained. Within the City's e-mail system, there is a process to administer both responses to public records requests and for litigation holds. For personal e-mail,

Council members either need to handle these issues on their own or provide access to their e-mail account. There is also the issue of handling e-mail records during time of transition after leaving office. With a personal e-mail account, an elected official will either need to turn over the account to City staff if there are pending issues or there may be difficulty in complying with records requests or litigation issues. With a City e-mail account, the records remain on the City server and these issues can be handled by City staff.

### **Segregating Political Activity from Official City Business**

Elected officials may want to segregate political activities such as soliciting donations for re-election and donations for a campaign fund from activities as an office holder. Using a City e-mail address that is listed on the City website for official City business and a different e-mail address on a campaign website would provide a method to help separate these activities.

### **Security**

The City e-mail system has security features, including the requirement of passcode or biometric (touch lock), as well as the ability to shut-down an account that has been compromised. Personal e-mail accounts may or may not include these security features. Additionally, it is easy for someone operating a phishing scam to “spoof” or fake a personal e-mail account by including a Council member name. For example, a JohnDoeforAmes@gmail.com address is more susceptible to someone setting up a JohnDoeAmesCityCouncil@gmail.com than a JohnDoe@city.ames.ia.us address. Using a City e-mail address can provide a bit more “official” looking address and may help provide assurance to those receiving e-mails from elected officials that the e-mail is legitimate.

### **Staff Time**

Use of the City e-mail system by the Mayor and Council members would require minimal incremental staff time. Use of personal e-mail accounts by elected officials may take no staff time or a significant amount of staff time depending on the level of support desired or issues that may arise related to using different e-mail accounts.

### **What Other Cities Do**

Iowa Cities Where Elected Officials Use City E-mail for Official Business

- Des Moines
- West Des Moines
- Iowa City
- Cedar Rapids
- Dubuque
- Davenport
- Council Bluffs
- Ankeny
- Waterloo
- Mason City
- Sioux City
- Marion
- Bettendorf

For Cedar Falls and Marion some elected officials use City e-mail address and others use a personal e-mail address. **Ames is the only city in Iowa with a population over 30,000 where all Council members are using a personal e-mail address.**

### **OPTIONS:**

1. Continue operating as is, but include a notice on the group link that senders using the link cannot be assured that their e-mail will be received by all Council members.
2. Remove the group link.
3. A Council member has recommended that City staff consider setting up a City Google Group outside the City e-mail structure as a method to contact the Council as a group. Each Council member would be required to join the City Google Group to allow members communicate with each other and citizens to e-mail the group using a single e-mail address. A City Staff member would need to serve as administrator of the Google group. Since the Google Group system is a discussion group, Council would need to take care not to use the system to deliberate; that said, there may be some citizen concerns about a Council discussion group.
4. Set up individual City e-mail addresses for Council members and create an e-mail group. This solution will provide the citizen group e-mail convenience with reliable delivery.

### **ISSUE 2: CITY COUNCIL MEETING PACKET RETENTION**

A Council member has requested that the final packet (agenda and supporting materials) for each City Council meeting not be deleted from the City's website ([www.CityOfAmes.org](http://www.CityOfAmes.org)) after the meeting is over, but instead collected in an archive for easy public access. Currently, a Council packet is removed from the website when a new packet is posted, which leaves the four most recent meetings on the website. This usually results in deletion of each packet after four to six weeks. The Council packet consists of the agenda and all the supporting Council Action Forms, reports, maps, contracts, photos, and documentation for each agenda item saved in a single, continuous PDF.

The current removal process of the Council packets was based on recommendations from the City's website host company, Vision Internet, which encourages frequent deleting and updating of materials to keep websites active, engaging, and timely. The existing process has been in place for approximately five years, and the City has not received a complaint or request regarding access to records. It is important to note that Council packets on the website are provided digitally for convenience. The City Clerk's Office serves as the official record keeper for the City of Ames.

Another reason a Council packet was removed when a new one was posted was to eliminate the need for large amounts of storage space from Vision's servers, which would cost the City additional fees. Council packets can be from 100 to 350 pages in size and use 15 to 40 MG of space. **However, digital storage has become less**

**expensive and easily available in the last few years, and Vision Internet has confirmed that retaining City Council packets for longer periods of time would not be an immediate storage concern or require additional fees.**

In a quick survey of other Iowa cities websites, it appears there is a great variation in the archiving of City Council packets on websites.

| <b>City</b>     | <b>Retention</b>  |
|-----------------|---|
| West Des Moines | One year for Council packets; two years for agendas/minutes |
| Cedar Rapids    | Council packets available from January 2016                 |
| Dubuque         | Records kept in a continuous archive going back many years  |
| Ankeny          | Current agendas/minutes only (no supporting documents)      |
| Cedar Falls     | One year for agenda/minutes only (no supporting documents)  |
| Iowa City       | Records kept in a continuous archive going back many years  |

The City of Ames website also houses PDF versions of agendas and minutes from 2014 to the current month.

**OPTIONS:**

1. Continue the current process of removing City Council packets after four to six weeks.
2. Start retaining City Council packets for a minimum of two years; review analytics to determine if documents are being accessed and reassess retention strategy in July, 2020.
3. Begin retaining City Council packets indefinitely.