

**RESOLUTION 21-R-03** adopting the records retention schedules approved by the Municipal Technical Advisory Service as the official records retention schedules of the City of Murfreesboro and authorizing the disposal of permanent paper records upon their being copied or otherwise converted to an appropriate electronic medium.

**WHEREAS**, proper records management is essential for effective and efficient City operations and to ensure compliance with certain legal requirements and duties; and

**WHEREAS**, the City Council desires to provide for an orderly and efficient system of records management for the City and to ensure that the procedures used to manage and preserve public records will be uniform throughout the organization; and

**WHEREAS**, the Tennessee Code Annotated § 10-7-702(a) authorizes the Municipal Technical Advisory Service (MTAS) to compile and print, in cooperation with the state library and archives, records retention manuals to be used as guides by municipal officials in establishing retention schedules for all records created by municipal governments in the state; and

**WHEREAS**, the most recent record retention schedules developed by MTAS were published on September 15, 2017, and are currently available to the public on MTAS's website at <https://www.mtas.tennessee.edu/reference/retention-schedules>; and

**WHEREAS**, certain municipal records constitute "permanent records" due to their "permanent administrative, fiscal, historical or legal value," *see* Tennessee Code Annotated § 10-7-301 and §10-7-701, and are to be permanently maintained by the City, while other municipal records constitute "temporary records" and/or "working papers," *see* Tennessee Code Annotated § 10-7-301(13) and (14), which may be scheduled for disposal as provided in Tennessee Code Annotated §§ 10-7-701 *et seq*; and

**WHEREAS**, as provided in Tennessee Code § 10-7-702(b), the governing body of any municipality may nevertheless by resolution "authorize the disposal of any permanent paper record of the municipality when the record has been photocopied, photostated, filmed, microfilmed, preserved by microphotographic process, or reproduced onto computer or removable computer media, or any appropriate electronic medium, in accordance with § 10-7-121"; and

**WHEREAS**, updating the City's records management policies and procedures is necessary to ensure that the City's records are organized, stored, and maintained in a manner that ensures efficient accessibility and complies with applicable legal requirements; and

**WHEREAS**, adopting the record retention schedules developed by MTAS as part of the City's record management system, along with the ability to dispose of permanent paper records once they have been preserved or reproduced onto

appropriate electronic medium, will greatly assist the City in maintaining those public records that are legally required to be preserved within current space limitations and to dispose of those records that no longer have administrative, fiscal, legal, or historical value and are not required to be kept by law;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:**

**SECTION 1.** The City Recorder and City Attorney are hereby authorized and directed to develop a Record Management Manual for use by the City and its departments. The City Recorder and City Attorney are further directed to make appropriate and timely updates to the manual as the City's operations and applicable law may require. Upon approval by the City Manager, such manual (and any updated version thereof) shall constitute the policy of the City with respect to the management, preservation, disposition, and protection of the City's records.

**SECTION 2.** The most current record retention schedules published by MTAS, pursuant to the authority granted in Tennessee Code Annotated § 10-7-702(a), shall serve as guidance in the disposition of the City's public records and in determining whether a public record may be archived or destroyed. Each public record of the City shall be retained for no less than the applicable retention period set forth in the most current MTAS record retention schedules, unless the City Attorney advises, in a legal written opinion to the City Manager, City Recorder, and the director of the department having custody of the records, that a different retention period is legally permissible and advisable. The most current record retention schedules published by MTAS shall be included in the City's Record Management Manual, along with any additional guidance from the City Attorney. In addition, if the MTAS schedules do not state a retention period applicable for a certain type of City record, the City Recorder and City Attorney, in consultation with the department(s) having custody of such records, may establish an appropriate retention period for such records and publish the period in the City's Records Management Manual.

**SECTION 3.** City Council hereby authorizes City staff to destroy or otherwise dispose of any record, whatever the form, that has been maintained beyond the relevant retention period for the record, provided the act and method of destruction or other disposition complies with applicable law, including, without limitation, Tennessee Code Annotated § 10-7-503(h) concerning the retention of records known by the City to be subject to a pending public records request. Notwithstanding the foregoing, individual departments may elect to retain records for longer periods than those contained in the MTAS schedules when it would be advisable otherwise helpful to do so.

**SECTION 4.** Pursuant to the authority granted to City Council by Tennessee Code Annotated § 10-7-702, the City Council hereby authorizes City staff to destroy

or otherwise archive or dispose of any permanent paper record once such paper record has been digitally scanned, reproduced, and archived on an approved computer server, removable computer media, or any appropriate electronic medium, provided, however, that no permanent paper record shall be destroyed without the written authorization of the City Recorder and City Manager. In addition, the digital scanning, reproduction, and disposal of permanent paper records shall be performed in accordance with the applicable procedures and requirements set forth in the City's Record Management Manual. Digitally archived permanent records shall be retained permanently. Notwithstanding the foregoing, no record of archival value, including specifically the original paper version of the City Council minutes, ordinances, or resolutions, shall be destroyed unless such destruction is specifically authorized by a subsequent resolution of City Council.

SECTION 5. The City Council further authorizes City staff to destroy or otherwise archive or dispose of any paper version of a non-permanent City record, including any "essential records," "temporary records," and "working papers," as defined in Tennessee Code Annotated § 10-7-702, once such paper record has been digitally scanned, reproduced, and archived on an approved computer server, removable computer media, or any appropriate electronic medium, provided, however, that no paper record shall be destroyed without the written authorization of the City Recorder. The digital scanning, reproduction, and disposal of paper records shall be performed in accordance with the applicable procedures and requirements set forth in the City's Record Management Manual. Digitally archived non-permanent records shall be retained in accordance with the retention periods established in Section 2 of this Resolution.

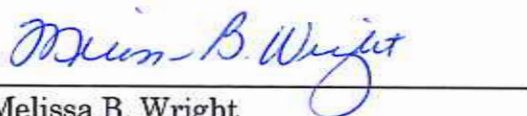
SECTION 6. This Resolution shall be effective immediately, the public welfare and the welfare of the City requiring it.

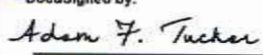
Passed: January 7, 2021

  
Shane McFarland, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Melissa B. Wright  
City Recorder

DocuSigned by:  
  
Adam F. Tucker  
City Attorney