

FROM

NAME & TITLE	Rebecca Woods, Esq., Executive Director <i>RW</i>
AGENCY NAME & ADDRESS	Environmental Control Board 1 North Charles Street, 13 th Floor, Baltimore, Maryland 21201
SUBJECT	City Council Bill # 20-0496 Records Management – Modernizing, Correcting, and Conforming

CITY OF
BALTIMORE
MEMO



TO

The Honorable President and Members
of the Baltimore City Council

DATE: March 3, 2020

The Baltimore City Environmental Control Board (ECB) has been requested to review City Council Bill # 20-0496, Records Management – Modernizing, Correcting, and Conforming. The purpose of the bill is to repeal and replace City Code provisions regarding Baltimore City’s records management program to conform to State law requirements and to reflect modern practices in records management, to establish the position of City Records Management Officer to coordinate citywide records management, to set forth certain duties of the City Records Management Officer, to require City agencies to provide certain cooperation to the City Records Management Officer, to provide for the manner of the proper disposal of certain City records, to define certain terms, and generally relating to the management of the records of Baltimore City government.

The ECB is an administrative hearing board that is responsible for the adjudication of citations issued by other agencies that affect sanitation, environmental, health, safety, and other quality of life issues. The ECB generally only addresses citations that are brought to its attention by a cited person, entity, or an interested third party. Due to this, unless a request is made of the agency, the ECB would have no real knowledge of any particular citation and would not be in possession of that citation’s underlying records.

In office, the ECB maintains all physical hearing files from 2016 to present, the review packets for our annual tax sale review process, and specific to the Board meetings, the audio recordings for the Board, the meeting minutes, the agendas, and any appeal opinions. Digitally, the ECB keeps audio recordings for all hearings and scanned copies of mailed or faxed correspondence in a secure drive. The ECB also maintains emails from the Environmental Control Board email inbox, which are archived on that secure drive as well.

Any and all files prior to 2016 are kept at an off-site facility, with the exception of personnel files. All personnel files, regardless of time frame, are kept in office.

The ECB is also home to the BMORE Beautiful peer-to-peer community beautification program. The only records retained with regard to that program are in relation to the grants

While the ECB is in favor of City Council Bill # 20-0496, the impact on this agency is unclear. Pursuant to §10-9 of the proposed bill, the ECB's required Agency Records Officer would prepare a record inventory, prepare a Record Retention and Disposition Schedule, and ensure compliance with the rules and regulations adopted by the City Records Management Officer. That compliance is further detailed in §10-10(c), which merely stresses compliance with the Record Retention and Disposition Schedule.

The reason the impact on the ECB is unclear, despite the above noted responsibilities, is because the proposed bill does not detail *how* those responsibilities would need to be carried out. Without knowing the specific requirements under the rules and regulations and/or the Record Retention and Disposition Schedule, there is no way to know what steps would need to be taken in order to be in compliance.