

MEMORANDUM

TO: File

FROM: Patrick J. Lawton *PJL*
City Administrator

DATE: August 23, 2012

RE: After Action Report – School Lawsuit FOIA and DISCOVERY Request

- **Purpose**

- **What did we set out to do?**
 - Comply with Freedom of Information Application request and DISCOVERY request received
- **What was supposed to happen?**
 - Requestor completes and submits FOIA to city clerk
 - Gather specifics from application, i.e. format, labor costs, material costs, etc.
 - Call requestor to confirm request is to be completed
 - Comply with request in a timely manner
- **Is there a process or procedure in place for this activity?**
 - Yes

- **Executive Summary**

- **What actually happened?**
 - Timeline for compliance changed from August 23 to August 10.
 - FOIA and DISCOVERY request associated with the municipal school lawsuit merged and deadline moved to two weeks earlier
 - Decision to go with a vendor to backup tapes of deleted emails was made but due to timeline changing Administration and IT had to work ahead and compile as much information as possible in-house ahead of schedule
 - Internal audit by Administration gathered all printed documentation and documents stored on server (WORD, EXCEL, and POWERPOINT)
 - All documents, emails, etc. printed regardless of original format
 - Administration culled out duplicates, client confidential correspondence and non relevant materials
 - Documents itemized by specific request number as requested
 - Final package delivered to City Attorney's office for his review, within a ten-day compressed time frame
 - City Attorney provided package to requestor

- **What worked well that needs to be sustained?**
 - Setting up a War Room that could be secured
 - Setting up 6' tables for sorting documents
 - Some employees maintained an archived and organized email retention system
 - Outsourcing vendor for email compilation
 - Game plan in getting team assembled and focused on task as quickly as possible
 - Team listened to each other, worked together and brainstormed respectfully

- **What did not work well and needs to be changed?**
 - Communication with City Attorney's office on DISCOVERY request
 - Deleting emails permanent from City server or drives
 - Searching tapes for deleted emails and sorting was labor intensive
 - Outsourcing tapes for deleted emails was expensive
 - Printing email attachments was labor intensive
 - Duplication of documents
 - Vendor's tool/program too slow

- **Lessons Learned**
 - **What can we do better next time?**
 - Better communication with City Attorney's office regarding production of records
 - Keep in contact with requestor/FOIA requestor
 - New computer backup system
 - Be thoughtful about what is discussed and contained in an email
 - Archive emails

- **Action Items**
 - **Develop a list of the actions to fix specific needs**
 - Review Retention Policy (MTAS)
 - Develop archival policy or GOOGLE APP