

REPORT TO CITY COUNCIL

DATE: AUGUST 9, 2006

TO: HONORABLE MAYOR AND CITY COUNCILMEMBERS

FROM: GREG RAMIREZ, CITY MANAGER

BY: KIMBERLY RODRIGUES, CITY CLERK

SUBJECT: APPROVE RESOLUTION NO. 06-1426; ADOPTING A CITYWIDE RECORDS RETENTION/DESTRUCTION SCHEDULE FOR THE MAINTENANCE AND DISPOSITION OF RECORDS AND RESCINDING RESOLUTION NOS. 96-1009, 02-1241, AND 03-1290

Section 34090 of the Government Code of the State of California provides a procedure whereby the City Council may establish a citywide Records Retention Schedule.

On October 16, 1996, the City Council adopted Resolution No. 96-1009, approving the City's initial Records Retention Schedule for City records. On June 12, 2002, the schedule was amended and renamed (Records Retention/Destruction Schedule) with the adoption of Resolution No. 02-1241. On June 23, 2003, the City Council adopted Resolution No. 03-1290 to amend the schedule to include items that had been, inadvertently, omitted in the first amendment.

Since the last amendment to the Records Retention/Destruction Schedule in 2003, several of the governmental citations for retention/destruction have changed and a complete review of the schedule was required. As such, the following amendments were incorporated into the newly revised schedule:

- All California Government Code, California Code of Civil Procedure, California Penal Code, and Code of Federal Regulations citations noted in the Records Retention/Destruction Schedule have been reviewed and updated by the City Attorney's Office.
- The legend at the bottom of each page of the schedule reflected "C" for both the Closed/Completed and Confidential files. The schedule has been amended to reflect "CL" for all Closed/Completed files.
- The schedule has been reformatted so that each category and subcategory is listed alphabetically, the department name has been included in the footer of each page, and the overall format of the document has been standardized.
- To allow for the retention/destruction of various departmental records that did not appear on the schedule, several departments have added categories (highlighted in gray on the attached schedule) to the proposed Records Retention/Destruction Schedule.

- The various Campaign Disclosure Statements and Statement of Economic Interests forms listed under City Clerk Item Nos. 23-25 and 56-57 were updated to reflect the current form numbers (i.e., 460 and 700) and the City's Local Campaign Contributions Disclosure forms (i.e., 10, 20, 30, and 40) were added to the schedule.
- The proposed resolution provides authorization for staff to destroy duplicate records, not originals, that are no longer required, through an administrative destruction process. The destruction of any original records would fall under the formal destruction process that is presented to Council for approval.
- The records destruction request forms were updated and, once adopted, will include reference to Resolution No. 06-1426.

In addition to approving the above changes, the City Attorney's Office has recommended that the City Council rescind the resolutions adopting and amending the original schedule (Resolution Nos. 96-1009, 02-1241 and 03-1290) and adopting the newly revised Records Retention/Destruction Schedule (Resolution No. 06-1426).

Staff will continue to review and update the citywide Records Retention/Destruction Schedule and bring forth any recommended changes for City Council approval on an annual basis.

RECOMMENDATION

Staff respectfully recommends the City Council adopt Resolution No. 06-1426; rescinding Resolution Nos. 96-1009, 02-1241, and 03-1290, and approving a Records Retention/Destruction Schedule.

Attachment: Resolution No. 06-1426
Records Retention Schedule