CITY COUNCIL AGENDA REPORT

MEETING DATE: October 6, 2009 **ITEM NUMBER: IV-14**

SUBJECT: **Revised Retention Schedule for the City Clerk's Office**

DATE: **September 29, 2009**

FROM: **City Clerk's Office**

PRESENTATION BY: **Julie Folcik, City Clerk**

FOR FURTHER INFORMATION CONTACT: **Julie Folcik, (714) 754-5221**

RECOMMENDATION:

1. Adopt resolution approving the newly revised retention schedule for the City Clerk's Office.

BACKGROUND:

The City of Costa Mesa has a retention schedule and a process for destruction of records that has been in place for over 30 years (1975). The current guide for retention scheduling for the city was updated by the City Attorney in 2006 (Attachment 1),and is a table of those document classes that are required by state regulations to be maintained for a specified period of time before they can be destroyed.

Administratively, a list that details documents maintained by the City Clerk's office, along with the appropriate retention, had not been updated in over twenty years. A project to thoroughly identify and create an electronic inventory of the subject files and documents within the active and inactive records vaults of the City Clerk's Office was begun in 2006. With the completion of that project a consultant was hired in 2009 to assist in the review and preparation of a detailed retention schedule for the office.

The proposed retention schedule (Attachment 3, Exhibit A), is a detailed assignment of retention to those documents maintained by the City Clerk's office. The current retention guidelines are applied to the documents listed on the proposed schedule, and/or makes some administrative recommendations for greater retention for certain document types. The proposed retention schedule will also become the framework used in a larger project that will also create more detailed retention schedules for each of the city departments.

According to the Government Code Section 34090 records are permitted to be destroyed as provided by law after it is no longer required. In accordance with Costa Mesa Municipal Code Section 2-10 (Attachment 2), records destructions are performed after a list is created by the department of those records to be destroyed, and is then reviewed by the City Attorney for compliance with retentions established by state law

and/or municipal law. A resolution is then prepared to request authorization for the document destruction and is placed on the agenda for City Council approval. Once approved the department performs the destruction.

'With the approval of a thorough retention schedule it provides for a comprehensive listing of those documents that are being maintained, designates an appropriate retention, and assists in more efficient destruction program for the documents maintained both in paper form and in electronic format. The new format of the schedule indicates the records maintained, if the document is to be imaged for long-term storage, notes the number of years a document is to be kept, provides a reference of the Government Code citation that establishes the retention, or if it is an administrative decision as to the length of time the document is to be kept. New to the process will be a Certificate of Destruction that will be produced after the records have been destroyed by the department, as was authorized by the resolution for destruction, and will be filed with the City Clerk Office.

ALTERNATIVES CONSIDERED:

The Council may consider amending the retention schedule beyond the requirements of state law or may chose not to approve the amended schedule at this time.

FISCAL REVIEW:

There was not a fiscal review required or performed as there is not a financial impact on the city unless other means of offsite storage with a commercial vendor and or until a document imaging program is continued for those documents to be scanned for long term storage and retrieval.

LEGAL REVIEW:

Legal has reviewed the resolution and the retention schedule citations and concurs with recommended records retentions established.

CONCLUSION:

It is requested that the Council approve the attached records retention schedule that is amending the current schedule to provide for a greater detail relative to the records maintained in the City Clerk's Office.

JULIE FOLICK City Clerk	ALLAN ROEDER City Manager
THOMAS HATCH ASSISTANT CITY MANAGER	KIMBERLY HALL BARLOW City Attorney

DISTRIBUTION: City Council
City Manager
Assistant City Manager
City Attorney

ATTACHMENTS:
1 City's Records Retention Guidelines
2 CMMC 2-10
3 Resolution adopting a newly revised retention schedule for City Clerk's Office