

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING A RECORDS RETENTION SCHEDULE FOR THE CITY CLERK'S OFFICE.

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City of Costa Mesa has a records destruction program that was approved through the adoption of Ordinance No. 75-60 for the destruction of specific public records as provided by California Government Code Sections 34090, 34090.5 34090.7 and 53921 ; and

WHEREAS, the records retention schedule establishes orderly procedures for retaining City records in active files and inactive files, and for disposing of records when they are no longer needed for administrative, fiscal, historical, or legal purposes in compliance with of Section 34090 et seq. of the Government Code for the State of California and other relevant state and federal regulations; and

WHEREAS, the retention periods stated in the City Clerk's Records Retention Schedule (Exhibit A) will promote the efficient and cost effective conduct of the City's business by reducing the number of records that the City retains, eliminating the unnecessary retention of duplicate or obsolete records, facilitating the retrieval of records and continuing a tradition of good records management.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Costa Mesa hereby determines as follows:

Section 1. The attached Records Retention Schedule (Exhibit A) is hereby approved. Further, that the future disposition of the types of records generated or received by the City of Costa Mesa and as listed in the attached exhibit is hereby

authorized for disposition as outlined in accordance with Section 34090 et seq. of the Government Code of the State of California.

Section 2. The destruction of any records as provided shall be according to accepted records management procedures and as established per Ordinance 76-21.

Section 3. Any subsequent amendments affecting the retention periods will be approved by the City Clerk, City Attorney and the City Council.

Section 4. The City Clerk shall certify to the passage and adoption of this resolution and it shall be thereupon be in full force and effect

PASSED AND ADOPTED this 6th day of October, 2009.

Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 09-____ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 6th day of October, 2009, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this ____ day of October, 2009.

JULIE FOLCIK, CITY CLERK

(SEAL)

**City of Costa Mesa
RECORDS RETENTION SCHEDULES**

The following codes are used to describe retention requirements:

1, 2, 3, etc.	=	Number of years (except when specifically indicated otherwise) records must be kept from the date of their creation or receipt.
S	=	Until superseded.
P	=	Permanent.
AT	=	After termination.
AD	=	After disposition.
AE	=	After expiration.
AP	=	After paid.
AS	=	After settled or after superseded.
D/R	=	Destroy when no longer required or relevant. These records either (1) are not considered to be public records or (2) are other-agency information for which the originating agency has the responsibility for preservation.

The following codes refer to the authority used to determine retention requirements:

Admin	=	Administrative decision. The retention periods meet at minimum those required by Government Code §34090; however, retention is established not only by legal requirement, but also by the historic, research and evidential values of the records. The recommended retention is based on standard record keeping practices.
CCP	=	Code of Civil Procedure
CFR	=	Code of Federal Regulations
EC	=	California Elections Code
GC	=	California Government Code
H&S	=	California Health & Safety Code
S&H	=	California Streets & Highways Code
UBC	=	Uniform Building Code

**CITY OF COSTA MESA
Records Retention Schedules**

Exhibit A

Records Description	Image	Retention	Code Citation	Explanation/Comments
COPIES/DUPLICATES of records for which a department is not the office of primary responsibility	N	D/R	GC 34090.7	Destroy when no longer relevant. The City Council's adoption of the retention schedules establishes the policy that duplicates/copies distributed to or maintained by the various departments for information purposes may be destroyed by the department when they are no longer required for reference purposes.
Abandonments, Real Property	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Acquisition of Real Property	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Affidavits of Posting	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Affidavits of Publication	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Affidavits of Residency/Citizenship	N	2	GC 34090	
Agenda Packets (Council, Boards, Commissions, Committees and Redevelopment Agency)	Y	P	Admin	Permanent for research/historic value; administrative decision.
Agenda Reports (Council, Boards, Commissions, Committees and Redevelopment Agency)	Y	P	Admin	Permanent for research value; administrative decision; image as part of the agenda packet.

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NOTE: Litigation, complaints and/or claims suspend normal retention periods. The retention applies upon settlement of the litigation, complaint or claim.

**CITY OF COSTA MESA
Records Retention Schedules**

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Records Description	Image	Retention	Code Citation	Explanation/Comments
Agendas (Council, Boards, Commissions, Committees and Redevelopment Agency)	N	2	GC 34090	
Agendas, Other-Agency	N	D/R	GC 6254	Destroy when no longer relevant.
Agreements/Contracts (except for equipment, leases and banking)	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Annexations	Y	P	GC 34090	Permanent.
Appeals, Civil	N	3/AS	CCP 583.320/ GC 34090	3 years after settled.
Appraisals, Real Property	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Articles of Incorporation, City	Y	P	Admin	Permanent for research/historic value; administrative decision.
Assessment District Proposed Boundaries, Maps	Y	P	S&H 3110, 3111	Permanent; append to resolution of adoption.
Audio Tapes of Council, Board, Commission, Committee and Redevelopment Agency Meetings	N	1	Admin	Tapes are used only to prepare official minutes.

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Records Retention Schedules**

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Ballots, Proposition 218	N	P	CA Constitution Art XIII	
Bank Statements/Reconciliations	N	5	Admin	Administrative decision.
Bid Notices/Affidavits of Publication	Y	P	Admin	Permanent for research/evidential value; file with related contract.
Bids for Equipment				
Successful	N	2/AD	GC 34090	2 years after disposition of equipment.
Unsuccessful or Rejected	N	2	GC 34090	
Bids for Services				
Successful	Y	P	Admin	Permanent for research/evidential value; administrative decision; file bids of \$15,000+ in City Clerk's contract files.
Unsuccessful or Rejected	N	2	GC 34090	
Bids for Supplies				
Successful	N	2	GC 34090	
Unsuccessful or Rejected	N	2	GC 34090	

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Records Description	Image	Retention	Code Citation	Explanation/Comments
Blank Forms	N	S	GC 6254	Destroy when superseded.
Boards, Commissions & Committees, Council-appointed				
Agendas	N	2	GC 34090	
Applications for Membership, Successful	Y	P	Admin	Permanent for research/historic value; administrative decision.
Applications for Membership, Unsuccessful	N	2	GC 34090	
Boards, Commissions & Committees, Council-appointed (Continued)				
By-Laws	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Minutes	Y	P	GC 34090	Permanent; image for safety/research only; originals may not be destroyed.
Oaths of Office	Y	P	Admin	Permanent for research/historic value; administrative decision.
Resolutions	Y	P	GC 34090	Permanent; image for safety/research only; originals may not be destroyed.
Bond Authorizations/Related Public Hearing Records, Prospectus, Accepted Proposals, Certificates, Notices	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Bond Registers	Y	P	GC 5004	Permanent; may destroy after digitizing and

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				safeguarding.
Bonds, Faithful Performance	Y	P	CCP	Permanent for research/evidential value; file originals with City Clerk contract documents.
Bonds, Public Official/Employee Fidelity	N	2/AT	GC 34090	2 years after termination.
Boundary Adjustments	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Budget, Annual City	Y	P	Admin/ GC 50110	Permanent; administrative decision; send copies to state library and university.
Budget, Capital Improvements	Y	P	Admin/ GC 50110	Permanent; administrative decision; send copies to state library and university.
Building Permit Reports	Y	P	Admin	Permanent for research/historic value; administrative decision.
Building Permits/Inspections	Y	P	UBC/ H&S 19850	Permanent for life of structures.
Building Plans	Y	P	UBC/ H&S 19850/ Admin	Permanent for life of structures; code contains exemption for certain buildings; administrative decision to retain permanently for all buildings.

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Certificates of Completion	Y	P	UBC	Permanent for life of structures.
Certificates of Compliance	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Certificates of Insurance, Capital Projects	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Certificates of Insurance, Temporary	N	2/AE	GC 34090	2 years after expiration.
Change Orders	Y	P	Admin	Permanent for research/evidential value; file with related contract in City Clerk's office.
City Council				
Agenda Packets	Y	P	Admin	Permanent for research/historic value; administrative decision.
Agendas	N	2	GC 34090	
Meeting Recordings Audio	N	1	Admin	Audio Recordings are used only for preparation of official minutes, (CMMC 2-83). t

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Minutes	Y	P	GC 34090	Permanent; do not destroy originals.
Oaths of Office	Y	P	Admin	Permanent for historic value; administrative decision.
City Seal	Y	P	Admin	Permanent for historic value; administrative decision.
Claims Against the City (closed non-litigated)	N	5/AS	GC 34090	5 years after closing of file.
Claims Against the City (closed - litigated)	N	10/AS	Admin	10 years after case is settled.
Claims on Behalf of the City	N	2/AS	GC 34090	2 years after settled.
Claims, Disability	Y	30/AS	29 CFR 1910.20	30 years after settled; code requires 30 years for employee exposure or medical records.
Claims, Worker's Compensation	Y	30/AS	29 CFR 1910.20	30 years after settled; code requires 30 years for employee exposure or medical records.
Computer Reference Information	N	D/R	GC 6254	Destroy when no longer relevant; these are catalogs, brochures and general reference gathered from other agencies or companies.

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Conditional Use Permits	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Conference Materials	N	D/R	GC 6254	Destroy when no longer relevant.
Conflict of Interest – see Statements of Economic Interest				
Consultant Proposals				
Accepted	Y	P	Admin	Permanent for research/evidential value; administrative decision; file with related contract documents.
Rejected/Unsuccessful	N	2	GC 34090	
Contract Administration Files	N	2/AT	GC 34090	2 years after contract termination; these are working files; file original contract documents permanently with the City Clerk.
Contract Change Orders	Y	P	Admin	Permanent for research/evidential value; file with related contract in City Clerk’s office.
Contracts	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Correspondence	N	2	GC 34090	

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Deeds	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Disaster Operational Plan, City	Y	P	Admin	Permanent for research/evidential value; administrative decision; file original with the City Clerk.
Drafts	N	D/R	GC 6254	Destroy when no longer relevant or when superseded.
Easements	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Elections				
Ballots, Proposition 218	N	P	CA Constitution, Art. XIII	
Campaign Disclosure Statements				
Elected Candidates, Committees Supporting Elected Candidates	Y	P	GC 81009	Permanent; may image after 2 years and destroy the originals.
Candidates Not Elected, Committees	Y	5	GC 81009	5 years after the election.
All others	Y	7	GC 81009	7 years after the election.
Elections (Continued)				

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Records Retention Schedules**

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Records Description	Image	Retention	Code Citation	Explanation/Comments
Candidate Statements of Qualifications				
Elected Candidates	N	4	Admin	4 years after election; administrative decision; sample ballot containing statement is kept permanently.
Candidates Not Elected	N	4	Admin	4 years after election; administrative decision.
Certificates of Election/Results of Votes Cast	Y	P	GC 34090	Permanent; append to original resolution.
Municipal Election Case Records	Y	P	Admin	Permanent for research/historic value; administrative decision; these contain the sample ballot, notices of election, notices of measures; proofs of publication and posting, etc., for each City election.
Nomination Papers				
Elected Candidates	N	4	EC 17100	4 years after election.
Candidates Not Elected	N	2	GC 81009	2 years after election.
Petitions	N	8 mos.	EC 17200/ EC 17400/ GC 7253.5/ GC 3756.8	8 months after election for which petition qualified, or 8 months after City Clerk's final examination.

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Elections (Continued)				
Sample Ballot	Y	P	Admin	Permanent for research/historic value; administrative decision.
Statements of Economic Interest				
Elected Candidates	N	7/AE	GC 81009	7 years after expiration of term.
Candidates Not Elected	N	5	GC 81009	5 years after the election.
Translator Certificates	N	2	GC 34090	
Emblems, City	Y	P	Admin	Permanent for research/historic value; administrative decision.
Eminent Domain Proceedings	Y	P	GC 34090	Permanent; image for safely only; originals may not be destroyed.
Employee Memoranda of Understanding	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Engineering Maps/Standard Drawings	Y	P	Admin	Permanent for research/evidential/historic value; administrative decision.
Engineering Plans	Y	P	UBC	Permanent for research/evidential/historic value for life of structures.

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Environmental Impact Reports (Draft and Final)	Y	P	Admin	Permanent for research/evidential value; file with related project.
Fee Schedules	Y	P	Admin	Permanent for research/evidential value; administrative decision; append to resolution of adoption.
Filing System Guide	N	S	GC 6254	Destroy when superseded.
Final Subdivision Maps	Y	P	UBC	Permanent for research/evidential value; file with project records.
Flags, City	Y	P	Admin	Permanent for historic value; administrative decision.
Forms, Blank	N	S	GC 6254	Destroy when superseded.
General Ledgers	Y	P	26 CFR 1.6001-1	Permanent.
General Plan & Elements	Y	P	GC 34090/ GC 50110	Permanent; send copies to the state library and university.
General Plan Amendments	Y	P	Admin	Permanent for research/historic value; administrative decision.
Goals & Objectives, City	Y	P	Admin	Permanent for research/historic value;

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Records Description	Image	Retention	Code Citation	Explanation/Comments
				administrative decision.
Goals & Objectives, Departmental	N	2/AS	GC 34090	2 years after superseded.
Hearing Notices	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Historic Site Inventories	Y	P	Admin	Permanent for research/historic value; administrative decision.
Insurance Policies	Y	P	Admin	Permanent for research/evidential value; administrative decision; file originals with the City Clerk.
Maps, City	Y	P	Admin	Permanent for research/historic value; administrative decision.
Master Plans	Y	P	Admin	Permanent for research/evidential/historic value; administrative decision.
Media Mailing/Distribution Lists	N	S	GC 6254	Destroy when superseded.
Meeting Announcements, Other-Agency	N	D/R	GC 6254	Destroy when no longer relevant.
Meeting Recordings, Audio (Council, Boards, Commissions, and Committees)	N	1	Admin	Recordings are used only for preparation of official minutes (CMMC 2-83)

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Memoranda	N	2	GC 34090	
Memoranda of Understanding, Employee	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Minutes (Council, Boards, Commissions, Committees and Redevelopment Agency)	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Minutes, Other-Agency	N	D/R	GC 6254	Destroy when no longer relevant.
Municipal Code	Y	P	GC 50110	Permanent; send copy to state library and university.
Newsletters, Other-Agency	N	D/R	GC 6254	Destroy when no longer relevant.
Notices of Completion	Y	P	Admin	Permanent for research/evidential value; administrative decision; file with project records.
Oaths of Office, City Council	Y	P	Admin	Permanent for historic value; administrative decision.
Ordinances				
Adopted	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.

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Draft	N	D/R	GC 6254	Destroy when no longer relevant.
Other-Agency Information	N	D/R	GC 6254	Destroy when no longer relevant. This includes information from other agencies, associations and organizations, such as agendas, annual reports, brochures, bulletins, directories, meeting announcements, minutes, newsletters, rosters, and so forth. The City of Costa Mesa is not the office of record for these documents.
Parcel Maps	Y	P	Admin	Permanent for research/evidential value; administrative decision; file with project records.
Petitions Submitted to Legislative Bodies	N	2	GC 34090	If attached to agenda report, retain permanently.
Policies, Procedures & Regulations, City	Y	P	Admin	Permanent for research/evidential value; administrative decision; includes administrative regulations and Council policies.
Proclamations	N	2	GC 34090	May wish to retain selected proclamations permanently for historic value.
Property Abandonments	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.

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Property Acquisitions	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Property Vacations	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Public Hearing Notices	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Public Records Requests	N	2	GC 34090	
Records Destruction Authorizations	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Records Destruction Certificates	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Records Destruction Lists	Y	P	Admin	Permanent for research/evidential value; administrative decision.
Records Inventories	N	S	GC 6254	Destroy when superseded.
Records Logs	N	5	Admin	Administrative decision.
Records Requests, Public	N	2	GC 34090	
Records Retention Schedules	Y	P	Admin	Permanent for evidential value; administrative

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Records Description	Image	Retention	Code Citation	Explanation/Comments
				decision; append to original resolutions of adoption.
Records Transfer Lists	N	S	GC 6254	Destroy when superseded.
Redevelopment Agency				
Agenda Packets	Y	P	Admin	Permanent for research/historic value; administrative decision.
Agenda Reports	Y	P	Admin	Permanent for research value; administrative decision; image as part of the agenda packet.
Agendas	N	2	GC 34090	
Meeting Recordings, Audio (Council, Boards, Commissions, and Committees)	N	1	Admin	Recordings are used only for preparation of official minutes (CMMC 2-83)
Minutes	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Resolutions				
Adopted	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Draft	N	D/R	GC 6254	Destroy when no longer relevant.

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Seal, City	Y	P	Admin	Permanent for historic value; administrative decision.
Statements of Economic Interest (Form 700)				
GC 87200 Filers	Y	4	GC 81009(f)	These are copies; originals are filed with FPPC; may be imaged after 2 years; may wish to retain for research purposes until person is no longer in office.
Other than GC 87200 Filers	Y	7	GC81009(f)	May be imaged after 2 years; may wish to retain for research purposes until person is no longer in office.
Street Naming	Y	P	Admin	Permanent for research/historic value; administrative decision.
Supply Inventories	N	S	GC 6254	Until superseded.
Surveys, Administrative	N	2	GC 34090	
Vacations of Real Property	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Warrant Resolutions	Y	P	GC 34090	Permanent; image for safety only; originals may not be destroyed.
Zoning Codes	Y	P	Admin	Permanent for research/evidential value; administrative decision.

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