



# City of San Leandro

Meeting Date: March 16, 2015

## Staff Report

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**File Number:** 15-145

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.D.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Lianne Marshall  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** Staff Report for a Resolution Approving Records Retention Schedules for City Records, and Approving the Destruction of Records in Accordance with the Retention Schedules, Subject to the Review and Consent of the City Attorney

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### SUMMARY AND RECOMMENDATIONS

Working with City departments and Gladwell Governmental Services, Inc., a local government records consultant, staff prepared records retention schedules that specify the retention periods for records kept by the City. The City Manager and the City Clerk recommend that the City Council adopt a resolution, approving the new records retention schedules for the following departments/divisions: Mayor and City Council, City Attorney, City Manager, City Clerk, Information Services, Finance, Library, Public Works, and Recreation and Human Services.

### BACKGROUND

Cities have responsibility for managing many different types of records for various governmental purposes. Certain records, such as agreements and purchase orders, are vital to the conduct of a city's day-to-day business; while others, such as meeting minutes, are important historical records.

California Government Code Section 34090 et seq. provides general requirements for the retention of local government records, as well as specific requirements for certain types of records. Retention periods for various types of records are also specified elsewhere in federal, state and local law. For example, in 2012 the City Council adopted Title 10, Chapter 6 of the San Leandro Administrative Code, which requires the City to retain emails for a minimum of two years. Variations in retention periods, as allowed by statute, can be recommended by staff to meet various public or business interests.

The Government Code provides various methods for a city to manage its records program. One alternative allows the City Council to delegate decisions regarding the retention and

destruction of records to City staff, once a compliant records retention schedule is in place.

A records retention schedule is a comprehensive inventory of the records maintained by the City. A retention schedule assists City staff in managing the storage of records that must be retained, the timely disposal of records no longer needed, and the preservation of records which are of historical value.

### **Analysis**

The City's current retention schedule was adopted in 1998 by Resolution 98-16. Due to changes in the law, as well as changing business needs and records management demands, major changes to the City's current retention schedule are required.

The City Clerk's Office engaged Gladwell Governmental Services, Inc., a local government records consultant, to assist staff from all City departments in revising each department's records retention schedule. The department retention schedules proposed for adoption have been reviewed and approved by the respective department head and the City Attorney's Office.

Draft retention schedules have also been prepared for the following departments and divisions: Human Resources, Business Development / Community Development, Engineering & Transportation and Police; as well as a Citywide retention schedule that includes records common to many or all departments. These draft retention schedules will be presented to the City Council for approval at a future meeting, once they are reviewed and approved by the respective department head and the City Attorney's Office.

### **Current Agency Policies**

- City records are retained and destroyed in accordance with the adopted records retention schedule.

### **Previous Actions**

- Current records retention schedule was adopted by Resolution No. 98-16 on February 2, 1998.

### **Legal Analysis**

The City Attorney's Office has reviewed and approved the attached records retention schedules proposed for adoption.

### **Fiscal Impacts**

None.

## **ATTACHMENTS**

### **Attachment to Staff Report**

- Resolution No. 98-16, Adopting Records Retention Schedule

**Attachments to Resolution**

- Records Retention Schedules:
  - City Attorney
  - City Manager
  - City Clerk
  - Mayor & City Council
  - Information Services
  - Finance
  - Library
  - Public Works
  - Recreation and Human Services
- Records Retention Schedule Legend
- How to use Retention Schedules

**PREPARED BY:** Marian Handa, City Clerk, City Manager's Office

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 98-16

(1272)

RESOLUTION ADOPTING RECORDS RETENTION SCHEDULE, AUTHORIZING  
CITY CLERK TO MAINTAIN RECORDS, AND DESIGNATING SPECIFIC  
DEPARTMENTS AS "OFFICE OF RECORD"

RECITALS

WHEREAS, Government Code Section 34090 et. seq. sets forth certain legal requirements relating to the retention of certain municipal records; and

WHEREAS, Other Codes, both State and Federal, also specify other retention requirements for specific public records; and

WHEREAS, This Council recognizes that, notwithstanding their legal value, certain records of the City have longer administrative, operational, evidential and historic value; and

WHEREAS, It is appropriate and feasible to deal with public and other administrative records in a responsible, economic and timely manner; and

WHEREAS, With the assistance of a Records Management Consultant, the City Clerk has recommended a Records Retention Schedule (attached as Exhibit "A") which has been reviewed and approved by the City Attorney.

NOW, THEREFORE BE IT RESOLVED, that the specific departments identified in said Retention Schedule are hereby designated as the Office of Record, and, as such, shall be responsible for all official records so identified, and shall keep those records in compliance with applicable schedules and laws.

FURTHER, that the Records Retention Schedule attached hereto as Exhibit "A" and made a part hereof, which has been approved by the City Attorney as complying with Federal and State authorities and generally accepted records management practices, is hereby adopted.

FURTHER, the City Clerk is hereby directed to conduct a review of the referenced schedule with the City Attorney on a periodic basis and to present any revisions to the City Council for schedule modification as from time to time may be necessary to keep retention information current and timely.

BE IT FURTHER RESOLVED, that the City Clerk be and he/she is hereby authorized and directed to maintain the records itemized on the adopted schedule for the periods of time so designated and thereafter to destroy same without further authorization.

Introduced by Council Member Polvorosa and passed and adopted this  
2nd day of February, 1998, by the following called vote:

Members of the City Council:

AYES: Council Members Galvan, Glaze, Loeffler, Lothrop, Polvorosa, Young;  
Mayor Corbett ( 7 )

NOES: None ( 0 )

ABSENT: None ( 0 )

Attest: Gayle Petersen  
Gayle Petersen, City Clerk

**EXHIBIT "A" TO RESOLUTION NO. ....**

**EXCEPTIONS TO DESTRUCTION:**

The following documents shall not be subject to destruction, except if (1) microfilmed or reproduced by other medium which does not permit additions, deletions or changes to the original document in accordance with the provisions of Government Code Section 34090.5 or (2) an accurate and complete duplication exists in accordance with the provisions of Government Code Section 34090.7:

1. Requests for destruction
2. Records affecting title to real property or liens thereon
3. Court records
4. Records required to be kept by statute
5. Records less than two years old
6. The minutes, ordinances or resolutions of the City Council or Planning Commission or any city board or commission.

**RECORDS RETENTION SCHEDULE  
CITY OF SAN LEANDRO**

| <u>RECORD</u>  | <u>OFFICE OF RECORD</u>  | <u>RETENTION</u><br>(In Months) |                         | <u>AUTHORITY</u>        |
|--|--|---------------------------------|-------------------------|-------------------------|
|  |  | Active                          | Total                   |                         |
| Abatements   | Planning   | 024/T                           | 096/T                   | Admin                   |
| Accounting, General  | Finance  | 024                             | 060                     | Admin                   |
| Accounts Payable/Receivable  | Finance  | 024                             | 060                     | Admin                   |
| Acquisition<br>(Real Property)   | City Clerk   | 024                             | 999                     | GC                      |
| Affidavits of Publication  | City Clerk   | 024                             | 060                     | Admin                   |
| Agendas<br>City Council<br>Boards<br>Commissions<br>EDA<br>IDA<br>Parking Authority<br>RDA<br>Subcommittees, Council | City Clerk<br>Staff Liaison<br>Staff Liaison<br>Redevelopment<br>City Clerk<br>City Clerk<br>Redevelopment<br>City Manager | 024                             | 120                     | Admin                   |
| Annexation Records   | City Clerk   | 024                             | 999                     | GC                      |
| Appeals  | City Clerk   | 024                             | 036                     | Admin                   |
| Appointments, Council  | City Clerk   | 024                             | 036                     | Admin                   |
| Appraisals   | City Clerk   | 024                             | 999                     | Admin                   |
| Articles of Incorporation  | City Clerk   | 024                             | 999                     | CFR                     |
| Assessment District Records<br>Formation Documents<br>Financial Documents<br>Maps                                    | City Clerk<br>Finance<br>Engineering   | 024<br>024<br>024               | 999/M<br>999/M<br>999/M | Admin<br>Admin<br>Admin |

| <u>RECORD</u>                      | <u>OFFICE OF RECORD</u> | <u>RETENTION</u><br>(In Months) |                              | <u>AUTHORITY</u> |
|------------------------------------|-------------------------|---------------------------------|------------------------------|------------------|
|                                    |                         | Active                          | Total                        |                  |
| <b>Audits</b>                      |                         |                                 |                              |                  |
| Financial Statements               | Finance                 | 024                             | 999                          | CFR              |
| Management Audits                  | City Manager            | 024                             | 120                          | Admin            |
| Bank Statements/Reconciliations    | Finance                 | 024                             | 060                          | Admin            |
| Bond Records                       | Finance                 | 024                             | 999                          | GC               |
| Budgets, City                      | Finance                 | 024                             | 999                          | Admin            |
| Building (Construction)<br>Permits | Building                | 024                             | 999/M<br>(Life of Structure) | UBC              |
| Building Projects                  | Building                | 024                             | 999/M<br>(Life of Structure) | UBC              |
| Business License Data              | Finance                 | 024                             | 060                          | Admin            |
| <b>Campaign Statements</b>         | City Clerk              |                                 |                              |                  |
| Successful Candidates/Committees   |                         | 024                             | 999/M                        | EC               |
| Unsuccessful Candidates/Committees |                         | 024                             | 060/M                        | EC               |
| CIP Records                        | Engineering             | 024                             | 999                          | H&S              |
| Census/Demographics                | Planning                | 024                             | 999                          | Admin            |
| <b>Claims</b>                      |                         |                                 |                              |                  |
| Legal Documents                    | City Attorney           | 024/T                           | 060/T                        | Admin            |
| Financial Documents                | Finance                 | 024/T                           | 084/T                        | Admin            |
| Code Enforcement Data              | Development Services    | 024                             | 060                          | Admin            |
| Commendations                      | City Clerk              | 024                             | 060                          | Admin            |
| Conflict of Interest Code          | City Clerk              | 024                             | /S                           | Admin            |
| Contracts, General                 | City Clerk              | 024/T                           | 120/T                        | Admin            |
| Correspondence, General            | Department              | 024                             | 024                          | Admin            |
| Deeds of Trust                     | City Clerk              | 024                             | 999                          | GC               |



| <u>RECORD</u>                      | <u>OFFICE OF RECORD</u> | <u>RETENTION</u><br>(In Months) |       | <u>AUTHORITY</u> |
|------------------------------------|-------------------------|---------------------------------|-------|------------------|
|                                    |                         | Active                          | Total |                  |
| Deferred Compensation              | Finance                 | 024                             | 999   | CFR              |
| Design Review Cases                | Planning                | 024                             | 999   | GC               |
| Divestment, Property               | City Clerk              | 024                             | 999   | GC               |
| Easements                          | City Clerk              | 024                             | 999   | GC               |
| Economic Development Programs      | Redevelopment           | 024/T                           | 060/T | Admin            |
| Election Results, City             | City Clerk              | 048                             | 999   | Admin            |
| Emergency Preparedness Plan        | Police                  | 024                             | /S    | Admin            |
| Eminent Domain Judgments           | City Clerk              | 024                             | 999   | GC               |
| Employee Records                   | Human Resources         |                                 |       |                  |
| Employment Applications            |                         | 024                             | 024   | Admin            |
| Test Results                       |                         | 024                             | 024   | Admin            |
| Personnel, All                     |                         | /T                              | 999   | CFR              |
| Training Programs                  |                         | 024                             | 060   | Admin            |
| Encroachment Permits               | Engineering             | 024/T                           | 048/T | Admin            |
| EIRs                               | Planning                | 024                             | 999   | GC               |
| Facility Plans/Specs               | Public Works            | 024                             | 999/M | H&S              |
| Fees/Fines                         | Finance                 | 024                             | 060   | Admin            |
| Fidelity Bonds<br>(City Employees) | City Clerk              | 024/T                           | 024/T | Admin            |
| Forms, Blank                       | Department              | D/R                             | D/R   | Admin            |

| <u>RECORD</u>           | <u>OFFICE OF RECORD</u> | <u>RETENTION</u><br>(In Months) |       | <u>AUTHORITY</u> |
|-------------------------|-------------------------|---------------------------------|-------|------------------|
|                         |                         | Active                          | Total |                  |
| Franchise Agreements    | City Clerk              | 024                             | 999/M | Admin            |
| General Plan/Amendments | Planning                | 024                             | 999   | Admin            |
| Grading Permits         | Engineering             | 024                             | 048   | Admin            |
| Grants                  |                         |                                 |       |                  |
| Financial Documents     | Finance                 | 024/A                           | 060/A | Admin            |
| Project Documents       | Department              | 024/A                           | 060/A | Admin            |
| Historical Data of City | City Clerk              | 024                             | 999   | Admin            |
| Housing Programs        | Planning                | 024/A                           | 060/A | Admin            |
| Insurance Policies      |                         |                                 |       |                  |
| General                 | Finance                 | /T                              | /T    | Admin            |
| Worker's Comp           | Finance                 | /T                              | /T    | Admin            |
| Inventory, Fixed Assets | Finance                 | 024                             | 999/M | Admin            |
| Legal Opinions          | City Attorney           | 024                             | 999   | Admin            |
| Liens                   | City Clerk              | 024                             | 999   | GC               |
| Litigation              | City Attorney           | 024/T                           | 060/T | Admin            |
| Loans                   | Finance                 | 024                             | 999   | GC               |
| Lot Line Adjustments    | City Clerk              | 024                             | 999   | GC               |
| Maddy Act Compliance    | City Clerk              | 024                             | 060   | Admin            |
| Maps (City)             | Engineering             | 024                             | 999   | Admin            |
| Master Plans            | Planning                | 024                             | 999   | Admin            |

| <u>RECORD</u>  | <u>OFFICE OF RECORD</u>  | <u>RETENTION</u><br>(In Months) |            | <u>AUTHORITY</u> |
|--|--|---------------------------------|------------|------------------|
|  |  | Active                          | Total      |                  |
| Meeting Packets<br>Council/RDA<br>Boards<br>Commissions<br>EDA<br>IDA<br>Parking Authority<br>Subcommittees, Council | City Clerk<br>Staff Liaison<br>Staff Liaison<br>City Clerk<br>City Clerk<br>City Clerk<br>City Manager | 024                             | 120        | Admin            |
| Meeting Tapes<br>Council/RDA<br>Boards<br>Commissions<br>EDA<br>IDA<br>Parking Authority<br>Subcommittees, Council   | City Clerk<br>Staff Liaison<br>Staff Liaison<br>City Clerk<br>City Clerk<br>City Clerk<br>City Manager | 060                             | 060        | Admin            |
| Minutes<br>Council/RDA<br>Planning Commission<br>Subcommittees, Council  | City Clerk<br>Planning<br>City Manager   | 024                             | 999        | GC               |
| Negative Declarations  | Planning   | 024                             | 999        | GC               |
| Newsletters, City  | City Clerk   | 024                             | 999        | Admin            |
| Nomination Papers  | City Clerk   | Term                            | plus 048   | EC               |
| Notices, Public Hearing  | City Clerk   | 024/T                           | 060/T      | Admin            |
| Oaths of Office  | City Clerk   | Term                            | plus 012   | Admin            |
| Ordinances   | City Clerk   | 024                             | 999        | GC               |
| Parcel Map Data  | Engineering &<br>Transportation  | 024                             | 999        | GC               |
| Parking Regulations  | Police   | 024                             | /S         | Admin            |
| Parks, City (Improvements)   | Engineering  | 024/T                           | 060/T      | Admin            |
| Payroll<br>Registers<br>Employee Records<br>(PERS and W-2's)   | Finance<br>Finance   | 024<br>024                      | 060<br>999 | Admin<br>Admin   |



| <u>RECORD</u>   | <u>OFFICE OF RECORD</u> | <u>RETENTION</u><br>(In Months) |       | <u>AUTHORITY</u> |
|---|-------------------------|---------------------------------|-------|------------------|
|   |                         | Active                          | Total |                  |
| Statements, Economic Interest<br>Originals Filed with City<br>Originals Filed with FPPC | City Clerk              | 048                             | 084   | GC               |
|   |                         | 048                             | 048   | GC               |
| Street Improvements   | Public Works            | 024                             | 999   | Admin            |
| Studies   | Department              | 024                             | 060   | Admin            |
| Subdivisions  | Planning                | 024                             | 999   | GC               |
| Taxation  | Finance                 | 024                             | 060   | Admin            |
| Traffic Regulations   | Engineering             | 024                             | 060   | Admin            |
| Use Permits   | Planning                | 024                             | 999   | Admin            |
| Utilities   | Engineering             | 024                             | 060   | Admin            |
| Variances   | Planning                | 024                             | 999   | Admin            |
| Warrants  | Finance                 | 024                             | 060   | Admin            |
| Worker's Comp Cases   | Finance                 | 024/T                           | 360/T | CFR              |
| Zoning/Rezoning Cases   | Building                | 024                             | 999   | Admin            |

Key: /A = After Audit  
D/R = Destroy Whenever No Longer Relevant  
/M = Microfilm After Two Years  
/S = Until Superseded  
/T = After Completion, Settlement or Termination  
999 = Permanent

Admin = Administrative or Historical/Research Value  
CFR = Code of Federal Regulations  
EC = California Elections Code  
GC = California Government Code  
H&S = California Health and Safety Code  
UBC = Uniform Building Code



# City of San Leandro

Meeting Date: March 16, 2015

## Resolution - Council

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**File Number:** 15-146

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Lianne Marshall  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** RESOLUTION Approving Records Retention Schedules for City Records, and Approving the Destruction of Records in Accordance with the Retention Schedules, Subject to the Review and Consent of the City Attorney

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WHEREAS, the City Council adopted Resolution No. 98-16 on February 2, 1998, approving a Records Retention Schedule, authorizing the City Clerk to maintain records, and designating specific departments as "office of record"; and

WHEREAS, due to changes in the law, as well as changing business needs and records management demands, City staff worked with a local government records management consultant to revise and update the Records Retention Schedules for City departments/divisions; and

WHEREAS, the records retention schedules for the following departments and divisions, have been reviewed and approved by the respective department and the City Attorney's Office:

- City Attorney
- City Manager
- City Clerk
- Mayor & Council
- Information Services
- Finance
- Library
- Public Works
- Recreation & Human Services

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Leandro approves the Records Retention Schedules for the departments and divisions as listed above, copies of which are attached hereto and incorporated herein by reference, and

grants approval for the destruction of records in accordance with the records retention schedules, subject to the review and consent of the City Attorney; and

BE IT FURTHER RESOLVED that the City Council of the City of San Leandro hereby authorizes the City Clerk and City Attorney to approve modifications to the Records Retention Schedules that are required due to changes in the law or applicable regulations, or to comply with best management practices, for all departments citywide, without further action by the City Council.

The documents listed as attachments are available for public review at the City Clerk's Office.