



City of San Leandro

Meeting Date: October 5, 2015

Staff Report

File Number: 15-191

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.F.

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 Updated 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

SUMMARY AND RECOMMENDATIONS

Working with City departments and a local government records consultant, staff prepared records retention schedules that specify the retention periods for records kept by the City. Staff recommends that the City Council adopt a resolution approving the updated records retention schedules for the following departments/divisions: Business Development, City Clerk, Citywide, Community Development, Engineering and Transportation, Human Resources, and Police. Adoption of the resolution will complete the update of the City's records retention schedule.

BACKGROUND

Cities are responsible 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 or 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 that are of historical value.

Analysis

The last City-wide retention schedule was adopted in 1998 by Resolution No. 98-16. Due to changes in the law, as well as changing business needs and records management demands, major revisions to the City's current retention schedule are required.

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

At the March 16, 2015 City Council meeting, the City Council adopted the 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.

Staff requests that the City Council approve the updated records retention schedules for the following departments/divisions: Human Resources, Community Development, Business Development, Police, Engineering and Transportation, and Citywide. Further revisions are also proposed for the City Clerk schedule. An increase in the retention of City Council meeting video recordings, from 5 years to 10 years, will offer greater public access. This increase in retention period is consistent with the practice of other neighboring cities when providing online access to several years of City Council meeting videos. Also, a few items are added or modified because the Fair Political Practices Commission (FPPC) issued additional forms and retention guidelines.

Current Agency Policies

The current City-wide retention schedule was adopted by the City Council on February 2, 1998, by Resolution No. 98-16.

Previous Actions

- Current Citywide records retention schedule was adopted by Resolution No. 98-16 on February 2, 1998.
- New records retention schedules for Mayor and City Council, City Attorney, City Manager, City Clerk, Information Services, Finance, Library, Public Works, and Recreation and Human Services were adopted by the City Council on March 16, 2015, by Resolution No.

2015-064.

Legal Analysis

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

Fiscal Impacts

None.

ATTACHMENTS

Attachment to Staff Report

- Resolution 98-16, Adopting Records Retention Schedule

Attachments to Resolution

- Records Retention Schedule: Business Development
- Records Retention Schedule: City Clerk
- Records Retention Schedule: Citywide
- Records Retention Schedule: Community Development
- Records Retention Schedule: Engineering & Transportation
- Records Retention Schedule: Human Resources
- Records Retention Schedule: Police

PREPARED BY: Tamika Greenwood, 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> (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 (Real Property)	City Clerk	024	999	GC
Affidavits of Publication	City Clerk	024	060	Admin
Agendas City Council Boards Commissions EDA IDA Parking Authority RDA Subcommittees, Council	City Clerk Staff Liaison Staff Liaison Redevelopment City Clerk City Clerk Redevelopment 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 Formation Documents Financial Documents Maps	City Clerk Finance Engineering	024 024 024	999/M 999/M 999/M	Admin Admin Admin

<u>RECORD</u>	<u>OFFICE OF RECORD</u>	<u>RETENTION</u> (In Months)		<u>AUTHORITY</u>
		Active	Total	
Audits				
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) Permits	Building	024	999/M (Life of Structure)	UBC
Building Projects	Building	024	999/M (Life of Structure)	UBC
Business License Data	Finance	024	060	Admin
Campaign Statements	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
Claims				
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> (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 (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> (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> (In Months)		<u>AUTHORITY</u>
		Active	Total	
Meeting Packets Council/RDA Boards Commissions EDA IDA Parking Authority Subcommittees, Council	City Clerk Staff Liaison Staff Liaison City Clerk City Clerk City Clerk City Manager	024	120	Admin
Meeting Tapes Council/RDA Boards Commissions EDA IDA Parking Authority Subcommittees, Council	City Clerk Staff Liaison Staff Liaison City Clerk City Clerk City Clerk City Manager	060	060	Admin
Minutes Council/RDA Planning Commission Subcommittees, Council	City Clerk Planning 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 & Transportation	024	999	GC
Parking Regulations	Police	024	/S	Admin
Parks, City (Improvements)	Engineering	024/T	060/T	Admin
Payroll Registers Employee Records (PERS and W-2's)	Finance Finance	024 024	060 999	Admin Admin

<u>RECORD</u>	<u>OFFICE OF RECORD</u>	<u>RETENTION</u> (In Months)		<u>AUTHORITY</u>
		Active	Total	
Statements, Economic Interest Originals Filed with City 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

December 18, 1997



City of San Leandro

Meeting Date: October 5, 2015

Resolution - Council

File Number: 15-192 **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 Pursuant to State Law, Approving the Destruction of Records in Accordance with the Retention Schedules, Subject to the Review and Consent of the City Attorney

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 an "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, were reviewed and approved by the respective department and the City Attorney's Office:

- Business Development
- City Clerk
- Citywide
- Community Development
- Engineering & Transportation
- Human Resources
- Police

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 and State Law, 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.