



Meeting Date: 3/23 /2010

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s) _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s) _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Jill Beaty *Jill Beaty* Agenda Item No. I-2

Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

DATE: March 15, 2010

TO: City Council

FROM: *for* Daniel Martinez, City Clerk/Secretary Designate *Jab*
City Clerk Department

SUBJECT: Amendment of Retention Schedule

RECOMMENDATION

1. That City Council adopt a resolution amending the retention and destruction schedule for City records and approving the destruction of obsolete records by the City Treasurer.
2. That the Community Development Commission/Redevelopment Agency adopt a resolution amending the retention and destruction schedule for Commission/ Agency records.
3. That the Housing Authority adopt a resolution amending the retention and destruction schedule for Authority records.

DISCUSSION

Staff has conducted a survey of departments to determine necessary changes to the records retention and destruction schedule (Schedule) for the City/Commission/Agency/Authority. The City Attorney's Office has reviewed and approved the proposed changes, and the updated Schedule now requires approval by the legislative bodies to implement changes. Most of the changes were to reflect organizational changes in City Manager, City Treasurer, Finance, and Public Works. The General Services Division is now listed as a Division of the City Manager Department. Also efforts were made to keep the Schedule in line with State guidelines. Finally, the City Treasurer seeks approval to destroy obsolete records.

FINANCIAL IMPACT

Staff projects some savings of storage costs by reducing storage of unneeded records.

Records Retention Schedule

March 15, 2010

Page 2

- Attachment #1 - Draft of proposed Records Retention Schedule
- #2 - Resolution Repealing and Adopting the City Records Retention Schedule and Approving the Destruction of Obsolete Records by the City Treasurer
 - #3 - Resolution Repealing and Adopting the Community Development/Redevelopment Agency Records Retention Schedule
 - #4 - Resolution Repealing and Adopting the Housing Authority Records Retention Schedule

Note: Attachment #1 has been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Monday prior to the Council meeting.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF OXNARD REPEALING AND ADOPTING
A RECORDS RETENTION SCHEDULE AND APPROVING
THE DESTRUCTION OF OBSOLETE RECORDS BY
THE CITY TREASURER

WHEREAS, on October 24, 2006, the City Council adopted Resolution No. 13,167, adopting a records retention schedule for the City, setting out the periods of time that records of the City must be retained and when the records are to be destroyed; and

WHEREAS, City staff has revised the records retention schedule for purposes of clarification and conformance to records retention periods adopted by State and federal law.

WHEREAS, Section 34090 of the California Government Code provides that subject to certain exceptions, with the approval of the City Council and the written consent of the City Attorney, the head of a City department may destroy any record, document, instrument, book or paper under his or her charge without making a copy thereof, if the same is no longer required; and

WHEREAS, the City Treasurer wishes to destroy certain obsolete records which are no longer required;

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. Pursuant to section 34090 et seq. of the Government Code, the Records Retention Schedule that is Attachment 1 to the staff report concerning this item, dated March 18, 2010, and on file in the City Clerk's Office, which schedule bears the written consent of the City Attorney, is approved and adopted, and Resolution No. 13,167 is repealed.

2. Pursuant to section 34090.5 of the Government Code, the city officer having custody of City records may cause such records to be destroyed at any time, without compliance with the Records Retention Schedule, if all of the conditions of reproducing records set forth in said statute are complied with.

3. Unless otherwise provided in the Records Retention Schedule:

A. Pursuant to section 34090.6 of the Government Code, a City department head may destroy recordings of routine video monitoring after one year and may destroy records of telephone and radio communications after 100 days if such records are maintained by his or her department. For purposes of this section, the terms: routine video monitoring" and "records of telephone and radio communications" have the meanings set out in section 34090.6 of the Government Code. If the recording or records

are evidence in any claim filed or any pending litigation, the recordings or records shall be preserved until the claim or pending litigation is resolved.

B. Pursuant to section 34090.7 of the Government Code, duplicates of City records less than two years old may be destroyed if they are no longer required, by following the procedure set out in the records Management Policies and Procedures Manual.

C. Pursuant to section 34090.7 of the Government Code, video recording media, such as videotapes and films, and including recordings of routine video monitoring pursuant to section 34090.6 of the Government Code, shall be considered duplicate records if the City keeps another record, such as written minutes or an audiotape recording, of the event that is recorded in the video medium. However, a video recording medium shall not be destroyed or erased for at least 90 days after occurrence of the event recorded thereon.

D. Pursuant to section 34090 of the California Government Code, obsolete records in Exhibit A not on the Records Retention Schedule shall be destroyed.

PASSED AND ADOPTED this 23rd day of March, 2010, by the following vote:

AYES:

NOES:

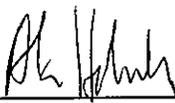
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

EXHIBIT A

CITY TREASURER OBSOLETE RECORDS

- 1) 1983-1986 Utility Tax
- 2) 1987-1988 Utility Tax

RESOLUTION NO. _____

A RESOLUTION OF THE COMMUNITY DEVELOPMENT
COMMISSION/REDEVELOPMENT AGENCY OF THE CITY OF
OXNARD REPEALING AND ADOPTING THE RECORDS
RETENTION SCHEDULE

WHEREAS, on October 24, 2006, the Community Development Commission (CDC) and the Redevelopment Agency (Agency) adopted Resolution No. 114, adopting a records retention schedule for the CDC and the Agency, setting out the periods of time that records of the City must be retained and when the records are to be destroyed; and

WHEREAS, staff has revised the records retention schedule for purposes of clarification and conformance to records retention periods adopted by State and federal law.

NOW, THEREFORE, the CDC and Agency of the City of Oxnard resolves:

1. Pursuant to section 34090 et seq. of the Government Code, the Records Retention Schedule that is Attachment 1 to the staff report concerning this item, dated March 23, 2010, and on file in the City Clerk's Office, which schedule bears the written consent of the General Counsel, is approved and adopted, and Resolution No. 114 is repealed.

2. Pursuant to section 34090.5 of the Government Code, the CDC/Agency officer having custody of CDC/Agency records may cause such records to be destroyed at any time, without compliance with the Records Retention Schedule, if all of the conditions of reproducing records set forth in said statute are complied with.

3. Unless otherwise provided in the Records Retention Schedule:

A. Pursuant to section 34090.6 of the Government Code, the Community Development Director may destroy recordings of routine video monitoring after one year and may destroy records of telephone and radio communications after 100 days if such records are maintained by his or her department. For purposes of this section, the terms: "routine video monitoring" and "records of telephone and radio communications" have the meanings set out in section 34090.6 of the Government Code. If the recording or records are evidence in any claim filed or any pending litigation, the recordings or records shall be preserved until the claim or pending litigation is resolved.

B. Pursuant to section 34090.7 of the Government Code, duplicates of CDC/Agency records less than two years old may be destroyed if they are no longer required, by following the procedure set out in the records Management Policies and Procedures Manual.

C. Pursuant to section 34090.7 of the Government Code, video recording media, such as videotapes and films, and including recordings of routine video monitoring

pursuant to section 34090.6 of the Government Code, shall be considered duplicate records if the Community Development Department or another City of Oxnard department keeps another record, such as written minutes or an audiotape recording, of the event that is recorded in the video medium. However, a video recording medium shall not be destroyed or erased for at least 90 days after occurrence of the event recorded thereon.

PASSED AND ADOPTED this 23rd day of March, 2010, by the following vote:

AYES:

NOES:

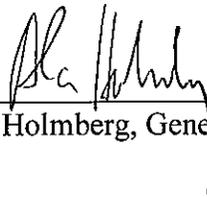
ABSENT:

Dr. Thomas E. Holden, Chairman

ATTEST:

Daniel Martinez, Secretary Designate

APPROVED AS TO FORM:



Alan Holmberg, General Counsel

RESOLUTION NO. _____

A RESOLUTION OF THE HOUSING AUTHORITY OF THE
CITY OF OXNARD REPEALING AND ADOPTING A
RECORDS RETENTION SCHEDULE

WHEREAS, on October 24, 2006, the Housing Authority (Authority) adopted Resolution No. 1209, adopting a records retention schedule for the Authority, setting out the periods of time that records of the City must be retained and when the records are to be destroyed; and

WHEREAS, staff has revised the records retention schedule for purposes of clarification and conformance to records retention periods adopted by State and federal law.

NOW, THEREFORE, the Authority of the City of Oxnard resolves:

1. Pursuant to section 34090 et seq. of the Government Code, the Records Retention Schedule that is Attachment 1 to the staff report concerning this item, dated March 23, 2010, and on file in the City Clerk's Office, which schedule bears the written consent of the General Counsel, is approved and adopted, and Resolution No. 1209 is repealed.

2. Pursuant to section 34090.5 of the Government Code, the Authority officer having custody of Authority records may cause such records to be destroyed at any time, without compliance with the Records Retention Schedule, if all of the conditions of reproducing records set forth in said statute are complied with.

3. Unless otherwise provided in the Records Retention Schedule:

A. Pursuant to section 34090.6 of the Government Code, the Authority Director may destroy recordings of routine video monitoring after one year and may destroy records of telephone and radio communications after 100 days if such records are maintained by his or her department. For purposes of this section, the terms: routine video monitoring" and "records of telephone and radio communications" have the meanings set out in section 34090.6 of the Government Code. If the recording or records are evidence in any claim filed or any pending litigation, the recordings or records shall be preserved until the claim or pending litigation is resolved.

B. Pursuant to section 34090.7 of the Government Code, duplicates of Authority records less than two years old may be destroyed if they are no longer required, by following the procedure set out in the records Management Policies and Procedures Manual.

C. Pursuant to section 34090.7 of the Government Code, video recording media, such as videotapes and films, and including recordings of routine video monitoring pursuant to section 34090.6 of the Government Code, shall be considered duplicate

records if the Housing Department or another City of Oxnard department keeps another record, such as written minutes or an audiotape recording, of the event that is recorded in the video medium. However, a video recording medium shall not be destroyed or erased for at least 90 days after occurrence of the event recorded thereon.

PASSED AND ADOPTED this 23rd day of March, 2010, by the following vote:

AYES:

NOES:

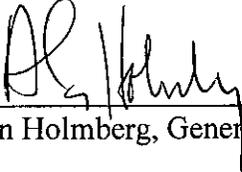
ABSENT:

Dr. Thomas E. Holden, Chairman

ATTEST:

Daniel Martinez, Secretary Designate

APPROVED AS TO FORM:



Alan Holmberg, General Counsel