



AGENDA REPORT
 SAN CLEMENTE CITY COUNCIL MEETING
 Meeting Date: November 5, 2013

Agenda Item 6D
Approvals:
 City Manager [Signature]
 Dept. Head [Signature]
 Attorney [Signature]
 Finance [Signature]

Department: City Clerk
Prepared By: Joanne Baade, City Clerk/Executive Analyst

Subject: RECORDS DESTRUCTION

Fiscal Impact: None

Summary: Staff is requesting authorization to destroy certain City records that have surpassed the City's established retention requirements.

**Background/
Discussion:** In accordance with State law, the City of San Clemente previously established a Records Retention Schedule that is consistent with State statutory requirements. Staff has determined that the records identified in the attached draft resolution have surpassed the City's established retention requirements. Moreover, the City Attorney has determined that none of the records are needed for legal or operational purposes. Consequently, Staff is recommending that Council authorize the destruction of the City records identified in the proposed resolution.

**Recommended
Action:** STAFF RECOMMENDS THAT the City Council adopt a resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

Attachments: Resolution with Exhibits A and B

Notification: None

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

WHEREAS, maintaining certain records is unnecessary after a certain period of time for the effective and efficient operation of the government of the City of San Clemente; and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby a City record which has served its purpose and is no longer required may be destroyed.

NOW, THEREFORE, The City Council of the City of San Clemente does hereby resolve as follows:

Section 1. The records of the City of San Clemente as set forth in Exhibits A and B, attached hereto and incorporated herein by this reference are hereby authorized to be destroyed as provided by Section 17200 of the Elections Code and Section 34090 of the Government Code of the State of California.

Section 2. The provisions of Section 1 above do not authorize the destruction of:

- (a) Records affecting the title to real property or liens thereon.
- (b) Court Records.
- (c) Records required to be kept by statute.
- (d) Records less than two (2) years old (except with regard to referendum petitions, which the Elections Code provides may be destroyed eight months after the election.)
- (e) The minutes, ordinances, or resolutions of the City Council of the City of San Clemente or of any City Committee or Commission.

Section 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

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PASSED AND ADOPTED this _____ day of _____, _____.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

Alto Marina Bui
City Attorney

**CITY OF SAN CLEMENTE
RECORDS DESTRUCTION REQUEST**

Exhibit A

DEPARTMENT: City Clerk


FILE	DESCRIPTION	DATE RANGE	RETENTION SCHEDULE	DATE DESTROY
502-1-24 and 502-1-25	Proof of Publication	2010-2011	2 years	2012-2013(June)
505-2-17, 505-7-28 & 31	Conflict of Interest Forms (700) Elected & Appointed Officials	2005	4 years	2009
505-3-23,32,58, 74, 78 & 80	Conflict of Interest Forms (700) for Designated Employees	2005	7 years	2012
110-23-1 & 110-24-1	Leadership Applications, Evaluations & Photos	2007-2008	5 years	2012-2013(June)
107-2-1	Press Releases	2010-2011	2 years	2012-2013 (July)
103-3-13	Proclamations	1999	10 years	2009
103-2-7	Political Support/Oppose-Senate and Assembly Bills	2007	5 years	2012
N/A	Municipal General Election 2010 -Working Papers	2010	2 years	2012
N/A	Special Election 2008-Shorecliffs-Working Papers	2008	2 years	2010
101-31-5	Coastal Advisory Committee-Appointments & Resignations	2006-2007	6 years	2012-2013 (June)
103-7-49 & 50	City Council Agendas	2010-2011	2 years	2012-2013 (June)
N/A	Public Records Request	2010	2 years	2012
NA	City Council Audio Tapes	2010	2 years	2012
N/A	City Council Meetings-DVD	2009-2010 2010-2011	1 year 1 year	2010-2011 2011-2012
N/A	Planning Commission Meetings-DVD	2008-2009 2010-2011	1 year 1 year	2009-2010 2011-2012
N/A	Professional Services Agreements	1993-2000	10 years	2003-2010


Department Head

10-22-13
Date


City Clerk

10-22-13
Date


City Attorney

Date

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**CITY OF SAN CLEMENTE
RECORDS DESTRUCTION REQUEST**

Exhibit B

DEPARTMENT: Finance – 2013

FILE	DESCRIPTION	DATE RANGE	RETENTION SCHEDULE	DATE DESTROY
	W-2's & Quarterly Reports	2001-2002	10 years	2011-2012
	Utility Billing Month End	2004-2005	7 years	2011-2012
	SDG & E Reads	2004-2005	7 years	2011-2012
	Merchant Bank Card Reconciliations /Statements – (City & Animal Shelter)	2004-2005	7 years	2011-2012
	Alarm Permit Renewals	2004-2005	7 years	2011-2012
	SB 90 Forms- Mandated Reimbursements	1994-2005	7 years	2001-2012

W. Elmer

10-18-13

Department Head

ok for

Date

Ann M. Sade

10-22-13

City Clerk

Date

Abel Moore

City Attorney

Date

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