



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### City Council Meeting

910 Calle Negocio  
2nd Floor  
San Clemente, California  
www.san-clemente.org

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**Meeting Date:** 6/6/2023

**Agenda Item:** 7L

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**Department:** City Clerk  
**Prepared By** Laura Campagnolo, City Clerk

**Subject:**  
**RECORDS DESTRUCTION**

**Summary:**  
Before the City Council is a resolution authorizing destruction of certain City records that have surpassed the City's established retention requirements.

**Background:**  
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. Subject to limited exceptions, a resolution adopted by City Council and the written consent of the City Attorney is required pursuant to Government Code section 34090 before records can be destroyed.

- Council Options:**
- Adopt Resolution No. 23-42, authorizing records destruction.
  - Modify and adopt Resolution No. 23-42.
  - Continue the Item with direction given to staff.
  - Deny Resolution No. 23-42.

**Fiscal Impact:**  
None.

**Environmental Review/Analysis:**  
Not a "project" under the California Environmental Quality Act.

**Recommended Actions:**  
Staff recommends that the City Council adopt Resolution No. 23-42 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.

***Attachment:***

1. Resolution No. 23-42
2. Records Destruction Request

***Notification:***

None

RESOLUTION NO. 23-42

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 that 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 Exhibit A attached hereto and incorporated herein by this reference are hereby authorized to be destroyed as provided by 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.
- (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.

PASSED AND ADOPTED this \_\_\_\_\_ day of June, 2023.

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, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 23-42 was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of June , 2023, 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 June, 2023.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

\_\_\_\_\_  
Elizabeth A. Mitchell City Attorney

**CITY OF SAN CLEMENTE  
RECORDS DESTRUCTION REQUEST**

DEPARTMENT: Beaches, Parks and Recreation

FILE	DESCRIPTION	DATE RANGE	RETENTION SCHEDULE	ELIGIBLE DESTROY DATE
	Winter Registration 2019	2019	CL+2 years	2022
	2017 Scholarship; Winter Registration 2019	2017; 2019	CL+2 years	2022
	SCAC Sign In 2016-2017	2016-2017	CL+2 years	2020
	Summer 2019 Registration Receipts	2018	CL+2 years	2022
	Pool Sign In 2018; Spring Registration 2019	2018; 2019	CL+2 years	2022
	2019 Rentals	2019	CY+2 years	2022
	2019 Swim Sign In	2018; 2019	CL+2 years	2022
	Registration Fall 2018	2018	CL+2 years	2021
	2015; 2017 Pool Sign In	2015; 2017	CL+2 years	2020
	Spring 2018 Registration	2018	CL+2 years	2021
	Summer 2019 Registration	2019	CL+2 years	2022
	2019 Reservations	2019	CY+2 years	2022
	2018 Rental Contracts	2018	CY+2 years	2021
	2019 Pool Sign In; Fall 2018 Registration Forms; Lawn Bowling Waiver; Military Grant	2018; 2019	CL+2 years	2022
	Events 2015-2017	2015-2017	CY+2 years	2020
	Recreation Receipts 2015-2016	2015-2016	CL+2 years	2019
	Employee Timesheets 2014-2015	2014-2015	CY+5 years	2020
	2018 Scholarships; Fall 2019 Registration Forms	2018; 2019	CL+2 years	2021
	2019 Pool Sign In	2019	CL+2 years	2021
	2019 Scholarships	2019	CL+2 years	2021
	2020 Pool Waivers, Pool Reservations	2020	CY+2 years	2022
	Spring/Summer 2020 Registration; Golf	2020	CL+2 years	2022
	2014 Incident/Damage Report	2014	Resolved+5 years	2019
	2019 Pool Waivers	2019	CL+2 years	2021

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Department Head

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Date

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City Clerk

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Date

City Attorney

Date