

ITEM 10.F.

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Maureen Benson, City Clerk *MB*
Prepared by: Blanca Garza, Deputy City Clerk *BG*

DATE: May 24, 2011 (CC Meeting of 6/01/2011)

SUBJECT: Consider Resolution Authorizing the Destruction of City Records
(1986 – 2002 Community Development Block Grant Records)

BACKGROUND

Government Code Section 34090, et. seq., authorizes the head of a city department to destroy any city record, document instrument, book or paper, under his/her charge, without making a copy thereof, after the same is no longer required after the minimum retention period of two years has been met, with the approval of the legislative body by resolution and the written consent of the City Attorney. The following Codes of Federal Regulations (CFR) 7 CFR 3016.42, 24 CFR 570.502, and 24 CFR 85.42 state records pertaining to Grants and Cooperative Agreements to State and Local Governments must be retained for three years from the day the grantee submits its final expenditure report for the last quarter of the Federal fiscal year; and, retention and access requirements for Community Development Block Grant activities and records shall be for four years.

The proposed destruction of various Community Development Block Grant records as detailed in Exhibit A is consistent with the City Council's approved Records Retention Schedule, the Secretary of State's Local Government Records Management Guidelines and/or State and Federal law. The records do not affect title to real property or liens thereon, are not court records or matters of pending or threatened litigation, are not minutes, ordinances or resolutions of the City Council or any board or commission of the City; are not original agreements, development project and/or capital project files; and are not records required to be kept by statute.

DISCUSSION

The various Community Development Block Grant records proposed for destruction are listed on Exhibit A to the attached resolution, all such records meet or exceed required retention periods, and the applicable retention periods are included for reference. The records recommended for destruction have been approved and consented to for destruction by the City Attorney and City Clerk.

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FISCAL IMPACT

The destruction of the specified records noted in the attached draft resolution will create an expense to have the records shredded but will also eliminate the cost to store records which have met their retention.

STAFF RECOMMENDATION

Adopt Resolution No. 2011-____.

Attachment: Draft Resolution

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF SPECIFIED RECORDS (1986 – 2002 COMMUNITY DEVELOPMENT DEPARTMENT RECORDS)

WHEREAS, Government Code Section 34090, et. seq., authorizes the destruction of City records that are no longer required after the minimum retention period of two years has been met, with the approval of the legislative body by resolution and the written consent of the City Attorney; and

WHEREAS, Code of Federal Regulations (CFR) 7 CFR 3016.42 states records pertaining to Grants and Cooperative Agreements to State and Local Governments must be retained for three years from the day the grantee submits its final expenditure report for the last quarter of the Federal fiscal year; and

WHEREAS, Code of Federal Regulations (CFR) 24 CFR 570.502 states retention and access requirements for Community Development Block Grant activities and records shall be for four years; and

WHEREAS, Code of Federal Regulations (CFR) 24 CFR 85.42 states records must be retained for three years from the day the grantee submits its final expenditure report for the last quarter of the Federal fiscal year; and

WHEREAS, Records currently held by the City of Moorpark, which are no longer required and which need not be retained as provided for in the City Council's approved Records Retention Schedule, the Secretary of State's Local Government Records Management Guidelines and/or State and Federal law may be destroyed in accordance with the appropriate provisions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that the records set forth in Exhibit "A", attached hereto, are older than the applicable retention periods required by the City Council's approved Records Retention Schedule, the Secretary of State's Local Government Records Management Guidelines and/or State and Federal law; and the records do not affect title to real property or liens thereon, are not court records or matters of pending or threatened litigation, are not minutes, ordinances or resolutions of the City Council or any board or commission of the City; and are not records required to be kept by statute.

SECTION 2. The City Council also finds that the City Attorney and the City Clerk have given written consent to the destruction of said records, as shown on Exhibit "A".

SECTION 3. The City Council hereby authorizes the City Clerk to destroy the City Records listed in Exhibit "A".

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SECTION 4. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this ____ day of _____, 2011.

ATTEST:

Janice S. Parvin, Mayor

Maureen Benson, City Clerk

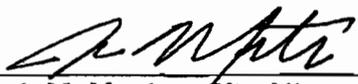
Attachment: Exhibit "A"

EXHIBIT. "A"
RECORDS DESTRUCTION CONSENT

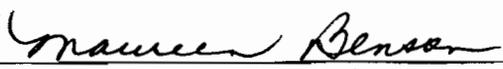
Citations: California Government Code (GC), Code of Federal Regulations (CFR),
 and City of Moorpark Records Retention Schedule (MRRS)

Description	Dates of Records	Retention Requirement (Years)	Citation (For Longest Retention Period)
Community Development Block Grant Files: Annual Performance Reports; Bid and Contractor's Information; Citizen's Participation Notes; Compliance Records; Consolidated Action Plan; Consolidated Action Plan Evaluation Reports; Copies of Agreements and Contracts; Correspondence; County Board Plan Reports; Expenditure Summary and Payment Requests; Fair Housing Documents; Financial Documents: Copies of Checks, Invoices and Receipts, Financial Printouts, Fund Accounting, Sub-recipients Financial Statements; Monthly Status Reports; Program Reports; Project Files; Proposals (Applications); Staff Meeting Notes; Sub-recipient Activity Reports; Project Notes; Quarterly Status Reports	1986 - 2002	Closed + 4 Years	MRRS 7 CFR 3016.42 24 CFR 570.502 24 CFR 85.42
Community Development Block Grant Files: Proofs of Publication; Public Hearing Notices	1986 - 2002	5 Years	MRRS GC 34090

Consent to Destruction:



 Joseph M. Montes, City Attorney



 Maureen Benson, City Clerk