

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO: Honorable City Council**

**FROM: Maureen Benson, City Clerk *mb*  
Deborah S. Traffenstedt, Deputy City Manager *DST*  
Prepared by: Blanca Garza, Deputy City Clerk *BG***

**DATE: March 23, 2011 (CC Meeting of 4/06/2011)**

**SUBJECT: Consider Resolution Authorizing the Destruction of City Records (Calendars, City Council and Redevelopment Agency Speaker and Written Statement Cards, Certificate and Proclamation Records and Related Correspondence, City Telephone System Reports, and Telephone Message Pads)**

**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. This section does 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 years old; or (e) The minutes, ordinances, or resolutions of the legislative body or of a city board or commission.

The proposed destruction of records 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 agreement, development project and/or capital project files; and are not records required to be kept by statute.

**DISCUSSION**

The 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 include various calendars, City Council and Redevelopment Agency Speaker and Written Statement Cards, certificate and proclamation records and related correspondence, City telephone system reports, and telephone message pads. Destruction of the records listed in Exhibit A has been approved and consented to by the City Attorney and City Clerk.

**FISCAL IMPACT**

The destruction of the specified records noted in the attached draft resolution will not create an expense and will 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 CERTAIN RECORDS (CALENDARS, CITY COUNCIL AND REDEVELOPMENT AGENCY SPEAKER AND WRITTEN STATEMENT CARDS, CERTIFICATE AND PROCLAMATION RECORDS AND RELATED CORRESPONDENCE, CITY TELEPHONE SYSTEM REPORTS, AND TELEPHONE MESSAGE PADS)

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.

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 State law (Government Code Section 34090 and the City's adopted Retention Schedule; 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".

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 6th day of April, 2011.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, City Clerk

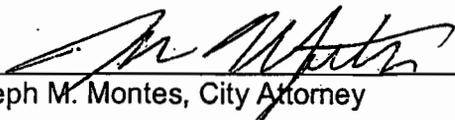
Attachment: Exhibit "A"

**EXHIBIT "A"**  
**RECORDS DESTRUCTION CONSENT**

Citation: California Government (GC) Code, Section 34090

DESCRIPTION	DATES OF RECORDS	RETENTION REQUIREMENT (YEARS)	CITATION (For longest retention period)
Calendars, City Manager	January 1, 2008 through December 31, 2008	Current + 2 Years	GC 34090
Calendars, Large Conference Room	January 1, 2008 through December 31, 2008	Current + 2 Years	GC 34090
Calendars, Small Conference Room	January 1, 2005 through December 31, 2006	Current + 2 Years	GC 34090
City Council and Redevelopment Agency Speaker Cards and Written Statement Cards	January 1, 2005 through December 31, 2008	Current + 2 Years	GC 34090
City Telephone Detail Activity Reports by Department	May 1, 2007 through December 31, 2008	Current + 2 Years	GC 34090
City Telephone System Original Data Records	January 1, 2003 through December 31, 2008	Current + 2 Years	GC 34090
Correspondence Related to Certificates and Proclamations, Paper and Electronic files (Requested of City/Issued by City)	January 1, 2006 through December 31, 2008	Current + 2 Years	GC 34090
Electronic files for: Certificates of Recognition; Certificates of Commendation; and Proclamations (Issued by City)	January 1, 2006 through December 31, 2008	Current + 2 Years	GC 34090
Telephone Message Pads, City Clerk's Division and City Manager	August 1, 2005 through December 31, 2008	Current + 2 Years	GC 34090

Consent to Destruction:

  
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Joseph M. Montes, City Attorney

  
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Maureen Benson, City Clerk