

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Deborah S. Traffenstedt, Administrative Services Director/City Clerk *DST*  
Prepared by: Blanca Garza, Deputy City Clerk *BG*

**DATE:** September 13, 2006 (CC Meeting of 9/20/2006)

**SUBJECT:** Consider Resolution Authorizing the Destruction of Certain Election Records

**BACKGROUND AND DISCUSSION**

California Election Code Sections 17302, 17304, 17306, 17503, and 17505, et. seq., authorize the destruction of specified local election records after six months from the date of the election. A Special Election for the North Park Village Project was held on February 28, 2006. The election records that are intended to be destroyed are shown on the list attached to the resolution. The proposed destruction of records is consistent with the City Council's approved Records Retention Schedule and/or state law. The City Attorney's written consent is included with the attached draft resolution.

**STAFF RECOMMENDATION**

Adopt Resolution No. 2006-\_\_\_\_\_.

Attachment: Draft Resolution

RESOLUTION NO. 2006-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF MOORPARK, CALIFORNIA, AUTHORIZING THE  
DESTRUCTION OF CERTAIN ELECTION RECORDS

WHEREAS, A Special Election was held on February 28, 2006; and

WHEREAS, California Election Code Sections 17302, 17304, 17306, 17503, and 17505, et. seq., authorize the destruction of specified local election records, packages or containers after six months from the date of the election if the vote was not contested.

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

SECTION 1. The City Council finds that the election records set forth in Exhibit "A", attached hereto, are older than six months from the date of the election, and a contest has not been commenced within the six-month period, nor has a criminal prosecution involving fraudulent use, marking or falsification of ballots or forgery of absent voters' signatures commenced.

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

SECTION 3. The City Council hereby authorizes the City Clerk/Elections Official to destroy/recycle the City Records listed in Exhibit "A" in accordance with the requirements of state law.

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 \_\_\_\_\_, 2006.

\_\_\_\_\_  
Patrick Hunter, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk

Attachment: Exhibit "A"

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

<b>Location</b>	<b>Description of Record:</b>	<b>Date</b>
Central Files	Ballots, Identification Envelopes: Voting Polling Place Ballots; Paper Record Copies of Voted Polling Place Ballots; Voted Absent Voter Ballots; Absent Voter Identification Envelopes; Spoiled Ballots; Canceled Ballots; Unused Absent Voter Ballots Surrendered by the Voter; and Ballot Receipts <b>Citation: California Election Code, Section 17302</b>	Special Election of February 28, 2006
Central Files	<b>Description of Record:</b> Package/Packages of: Two Tally Sheets; Copy of the Index Used as the Voting Record; Challenge Lists (Absent Voter); and Assisted Voters List <b>Citation: California Election Code, Section 17304</b>	Special Election of February 28, 2006
Central Files	<b>Description of Record:</b> Ballot Cards Arranged by Precinct <b>Citation: California Election Code, Section 17306</b>	Special Election of February 28, 2006
Central Files	<b>Description of Record:</b> Precinct Officers' Declaration of Intention; Precinct Board Member Applications; Order Appointing Members of the Several Precinct Boards and Designating the Polling Places Specified; Nominations for Appointment to the Precinct Board; and Written Orders Appointing Precinct Board Members or Designating the Poling Place for the Precinct <b>Citation: California Election Code, Section 17503</b>	Special Election of February 28, 2006
Central Files	<b>Description of Record:</b> Applications for Absent Voter Ballots <b>Citation: California Election Code, Section 17505</b>	Special Election of February 28, 2006

Consent to Destruction:

  
Joseph M. Montes  
City Attorney

9/14/06  
Date

  
Deborah S. Traffenstedt  
City Clerk / Elections Official

9/13/2006  
Date