

**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:** May 29, 2009 (CC Meeting of 6/17/2009)

**SUBJECT:** Consider Resolution Authorizing the Destruction of Parks, Recreation and Community Services Department Records

**BACKGROUND AND DISCUSSION**

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. The State Code of Civil Procedure Section 337 prescribes the time periods for the commencement of certain legal actions, and thereby extends the minimum retention period for certain types of files, including a minimum four-year retention for files pertaining to any contract, obligation or liability founded upon an instrument in writing; an action to recover upon an account; and an action based upon a rescission of an account in writing.

The City Attorney's written consent is included with the attached draft resolution. The Parks, Recreation and Community Services Department records that are intended to be destroyed are shown on the list attached to the resolution (Exhibit "A") and the applicable retention periods are included. The proposed destruction of records is consistent with the City Council's approved Records Retention Schedule and/or state law. For some of the Community Services/Parks/Recreation files, the City's Retention Schedule requires a longer retention period, which when applicable, is shown on Exhibit A.

**FISCAL IMPACT**

The destruction of the specified records noted in the attached draft resolution will create an expense to destroy the records. Staff has obtained quotes to have the records shredded and the lowest bid received is \$132.00 for the shredding of all the records listed in Exhibit "A". The authorization will also reduce costs by eliminating the need to rent a storage bin to store the records which have met their retention.

**STAFF RECOMMENDATION**

Adopt Resolution No. 2009-\_\_\_\_\_.

Attachment: Draft Resolution

RESOLUTION NO. 2009-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS (PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT, RECREATION DIVISION)

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.

WHEREAS, The State Code of Civil Procedure Section 337 prescribes the time periods for the commencement of certain legal actions, and thereby extends the minimum retention period for certain types of files, including a minimum four-year retention for files pertaining to any contract, obligation or liability founded upon an instrument in writing; an action to recover upon an account; and an action based upon a rescission of an account in writing.

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 Code of Civil Procedure Section 337) 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 17th day of June, 2009.

\_\_\_\_\_  
Janice S. Parvin, Mayor

ATTEST:

\_\_\_\_\_  
Maureen Benson, Assistant City Clerk

Attachment: Exhibit "A"

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

**Citations: California Government (GC) Code, Section 34090,  
California Code of Civil Procedure (CCP), Section 337, and  
City of Moorpark Records Retention Schedule (MRRS)**

<b>DESCRIPTION</b>	<b>DATES OF RECORDS</b>	<b>RETENTION REQUIREMENT (YEARS)</b>	<b>CITATION (For longest retention period)</b>
Agendas, Adult Sports Meetings	1993-1998	Closed/Completed + 4 Years	MRRS
Agendas, Staff Meetings	1997-2002	Current + 2 Years	GC 34090
Applications, Vendor	1992-1995	Closed/Completed + 5 Years	MRRS
Brochure Records, Advertisement (Recreation)	1994-1999	Superseded + 2 Years	GC 34090
Calendars, Arroyo Vista Recreation Staff	1994-1995	Current + 2 Years	GC 34090
Correspondence, Recreation Class and Special Event	1992-1993	Closed/Completed + 5 Years	MRRS
Correspondence, Gym Floor Maintenance and Operations	1995-1996	Current + 2 Years	GC 34090
Correspondence, Special Event Records	1987-1997	Closed/Completed + 5 Years	MRRS
Event Records, World Fest	1995	Closed/Completed + 5 Years	MRRS
Flyers, Special Event	1987-1997	Closed/Completed + 5 Years	MRRS
Forfeit Payment Records, Adult Sports Leagues (Lists of Forfeit Fees Paid and Refunded)	1990-1991	Audit + 5 Years	MRRS
Liability Release Waiver Forms, Recreation Class and Special Events	1992-1994 and 2002	5 Years	MRRS
Liability Release Waiver Forms, Camp Moorpark	1996-1999	5 Years	MRRS
Liability Release Waiver Forms, Skatepark	1998-2000 and 2002	5 Years	MRRS
Memorandums, Staff Meetings	1997-2002	Closed/Completed + 5 Years	MRRS
Payments (Copies), Recreation Class Instructor	1989; 1992-2000; and 2002	Audit + 5 Years	MRRS
Permits (Contracts/Agreements), Facility and Park Rental	1997-1998 and 2001-2002	Closed/Completed + 4 Years	MRRS
Phone Message Books	1992	2 Years	MRRS

**EXHIBIT "A" (Continued)  
RECORDS DESTRUCTION CONSENT**

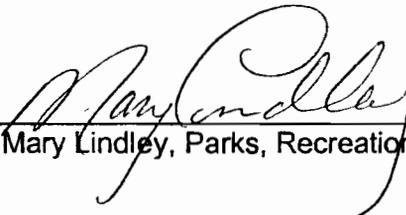
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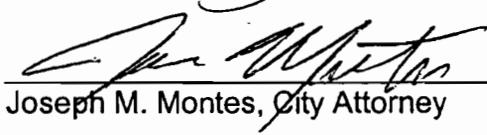
<b>DESCRIPTION</b>	<b>DATES OF RECORDS</b>	<b>RETENTION REQUIREMENT (YEARS)</b>	<b>CITATION (For longest retention period)</b>
Publicity Materials, Special Events, Recreation Class and Recreation Programs	1987-2002	Closed/Completed + 5 Years	MRRS
Publicity, Camp Moorpark	1996-1999	Closed/Completed + 5 Years	MRRS
Purchasing, Youth Sports Invoices (copies)	1995-1996	Closed/Completed + 5 Years	MRRS
Receipt Books, Camp Moorpark and Parks	1991-1997	Audit + 4 Years	CCP 337
Receipt Books, Recreation Class	1990 – 1999	Audit + 4 Years	CCP 337
Receipt Books, Special Event	1994-1999	Audit + 4 Years	CCP 337
Receipts, Facility Reservation and Recreation Class (Finance Departmental)	1993-1997 and 2001-2002	Audit + 4 Years	CCP 337
Registration Forms, Adult Sports	1993-1998	5 Years	MRRS
Registration Forms, Recreation Class	1989; 1992-1999; and 2002	5 Years	MRRS
Registration Forms, Special Event	1992-1993	5 Years	MRRS
Registration Forms, Teen Program	1993-1996	5 Years	MRRS
Registration Forms, Youth Sports	1995-1996	5 Years	MRRS
Registration Information, Contract Recreation Class	1992	5 Years	MRRS
Rental Forms, Facility and Park Rental	1997-1998	Closed/Completed + 4 Years	MRRS
Rosters, Camp Moorpark	1996-1999	5 Years	MRRS
Rosters, Recreation Class	1985-1988; 1992 and 1994	5 Years	MRRS
Rosters, Recreation Program	1989; 1992-1996	5 Years	MRRS
Rosters, Youth Sports Teams	1995-1996	5 Years	MRRS

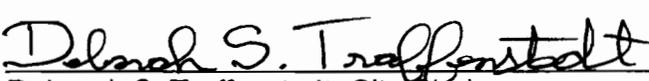
**EXHIBIT "A" (Continued)  
RECORDS DESTRUCTION CONSENT**

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City of Moorpark Records Retention Schedule (MRRS)**

DESCRIPTION	DATES OF RECORDS	RETENTION REQUIREMENT (YEARS)	CITATION (For longest retention period)
Rosters, Adult Sports Teams	1993-1996	5 Years	MRRS
Schedules, Adult Sports	1993-1998	Closed/Completed + 5 Years	MRRS
Schedules, Camp Moorpark	1996-1999	Closed/Completed + 5 Years	MRRS
Schedules, Youth Sports	1995-1996	Closed/Completed + 5 Years	MRRS
Score Sheets and Score Books, Adult and Youth Sports	1993-1998	Closed/Completed + 5 Years	MRRS
Surveys, Customer Youth Sports Leagues and Programs	1995-1996	Current + 2 Years	GC 34090
Surveys, Teen	1993-1996 and 2000	Current + 2 Years	GC 34090

Approved for Destruction:   
Mary Lindley, Parks, Recreation & Community Services Director

Consent to Destruction:   
Joseph M. Montes, City Attorney

  
Deborah S. Traffenstedt, City Clerk