

ITEM 10.L.

**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 3, 2010 (CC Meeting of 10/06/2010)

SUBJECT: Consider Resolution Authorizing the Destruction of City Records Meeting or Exceeding the Required Retention Period (On-going List of Annual City Accomplishments; Unsuccessful Bids/Proposals Files; Certificates/Proclamations and Related Correspondence; City General E-Mail Correspondence; Parks and Recreation Commission Resignation Correspondence; Correspondence Related to Citizen Complaints; Service Requests, Protests, Inquiries, Suggestions, and Compliments; General Requests for Records and/or Information; Public Records Requests and Related Correspondence; Private Vehicle Use Forms; Reports of Street Lights Out/Malfunctioning; City Engineering/Public Works Departmental Closed Purchase Orders; Letters of Parking Citation Hearing Results; Letters of Dismissed Parking Citations Hearing Results; and Duplicate Parking Citations).

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, in 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 are ongoing, annual City accomplishments (Annual combined list of accomplishments is retained); unsuccessful bids/proposals files; certificates/proclamations and related correspondence; City general e-mail correspondence; Parks and Recreation Commission resignation correspondence; correspondence related to citizen complaints; service requests, protests, inquiries, suggestions, and compliments; general requests for records and/or information; public records requests and related correspondence; private vehicle use forms; reports of street lights out/malfunctioning; City Engineering/Public Works departmental closed purchase orders; letters of parking citation hearing results; letters of dismissed parking citations hearing results; and duplicate parking citations. Destruction of the records listed in Exhibit A has been approved by the various responsible department heads and consented to by the City Attorney and City Clerk.

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Adopt Resolution No. 2010-_____.

Attachment: Draft Resolution

RESOLUTION NO. 2010-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF SPECIFIED RECORDS MEETING OR EXCEEDING THE REQUIRED RETENTION PERIOD (ON-GOING LIST OF ANNUAL CITY ACCOMPLISHMENTS; UNSUCCESSFUL BIDS/ PROPOSALS FILES; CERTIFICATES/PROCLAMATIONS AND RELATED CORRESPONDENCE; CITY GENERAL E-MAIL CORRESPONDENCE; PARKS AND RECREATION COMMISSION RESIGNATION CORRESPONDENCE; CORRESPONDENCE RELATED TO CITIZEN COMPLAINTS, SERVICE REQUESTS, PROTESTS, INQUIRIES, SUGGESTIONS, AND COMPLIMENTS; GENERAL REQUESTS FOR RECORDS AND/OR INFORMATION; PUBLIC RECORDS REQUESTS AND RELATED CORRESPONDENCE; PRIVATE VEHICLE USE FORMS; REPORTS OF STREET LIGHTS OUT/MALFUNCTIONING; CITY ENGINEER/PUBLIC WORKS DEPARTMENTAL CLOSED PURCHASE ORDERS; LETTERS OF PARKING CITATION HEARING RESULTS; LETTERS OF DISMISSED PARKING CITATIONS HEARING RESULTS; AND DUPLICATE PARKING CITATIONS)

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, Records currently held by the City of Moorpark, which are no longer required and which need not be retained as provided for in the Government Code and State and Federal authorities 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; are not agreement, development project and/or capital project files; 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 October, 2010.

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, et. seq., and
City of Moorpark Records Retention Schedule (MRRS)

Description	Dates of Records	Retention Requirement (Years)	Citation (For Longest Retention Period)
Annual City Accomplishments List, On-going (Annual combined list of accomplishments is retained)	2004 – 2007	Current + 2 Years	GC 34090
Bids / Proposals Files, Unsuccessful Bidders	7/2004 – 12/2007	Current + 2 Years	GC 34090
Certificates of Recognition, Certificates of Commendation, and Proclamations (Paper and Electronic Files)	2006 – 2007	Current + 2 Years	GC 34090
Certificates and Proclamations, Correspondence (Paper and Electronic Files)	2006 – 2007	Current + 2 Years	GC 34090
Correspondence, E-mails: City of Moorpark In-Box	2004 – 2007	Current + 2 Years	GC 34090
Correspondence, Parks and Recreation Commissioner Resignations	1984 – 1989	Terminated + 2 Years	MRRS
Correspondence Related to Citizen Complaints, Service Requests, Protests, Inquiries and Suggestions	2003 – 2007	Current + 2 Years	GC 34090
Correspondence, Compliments	2006 – 2007	Current + 2 Years	GC 34090
General Requests for Records and / or Information and Public Records Requests and Related Correspondence	2006 – 2007	Closed + 2 Years	GC 34090
Private Vehicle Use Forms, Department Director / Division Files	1/2004 – 12/2007	Current + 2 Years	GC 34090
Southern California Edison Reports of Street Lights Out / Malfunctioning, Departmental Director / Division Files	1/2004 – 12/2007	Current + 2 Years	GC 34090

RECORDS DESTRUCTION CONSENT

Citations: California Government (GC) Code, Section 34090, et. seq., and
City of Moorpark Records Retention Schedule (MRRS)

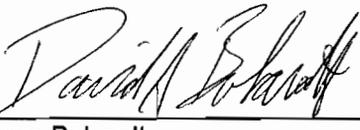
Description	Dates of Records	Retention Requirement (Years)	Citation (For Longest Retention Period)
City Engineer/Public Works Departmental Closed Purchase Orders	1/2004 – 12/2007	2 Years	MRRS
Letters of Parking Citation Hearing Results, Department Division Files	1/2004 – 12/2007	Current + 2 Years	GC 34090
Letters of Dismissed Parking Citations Hearing Results, Department Division Files	1/2004 – 12/2007	Current + 2 Years	GC 34090
Duplicate Parking Citations, Department Division Files	1/2004 – 12/2007	Current + 2 Years	GC 34090.7

Approved for Destruction:



Dave Klotzle,
Assistant City Engineer

9/29/10
Date



Dave Bobardt
Community Development Director

9/29/2010
Date

Consent to Destruction:



Joseph M. Montes
City Attorney

9/28/10
Date



Deborah S. Traffenstedt
City Clerk

9/29/2010
Date