

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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

DATE: July 11, 2012 (CC Meeting of 9/19/2012)

SUBJECT: Consider Resolution Authorizing the Destruction of City Records (Correspondence and Backup Data Related to Requests and/or Purchases for Goods and Services, Correspondence from Various Vendors Promoting Unsolicited Goods and Services, and Requests to be on City's Bid List; Owner Manuals for Equipment; Purchasing Files: Copies of Purchase Orders, Vendor/Supplier Information, Correspondence, and Backup Data) on File in the Administrative Services Department

BACKGROUND

Staff is requesting authorization to destroy a variety of correspondence and backup data related to requests and/or purchases for goods and services, correspondence from various vendors promoting unsolicited goods and services, and requests to be on City's bid list; owner manuals for equipment; purchasing files: copies of purchase orders, vendor/supplier information, correspondence, and backup data file records, on file in the Central Files of the Administrative Services Department.

DISCUSSION

All records proposed for destruction meet the required retention periods, and the applicable retention periods are included for reference on Exhibit A of the attached draft resolution. The retention period required by the adopted City of Moorpark Records Retention Schedule (MRRS) for the proposed destruction of departmental purchasing files related to requests/purchases for goods and services, requests to be on City's Bid List; correspondence from various vendors promoting unsolicited goods and services; department copies of purchase orders; vendor/supplier information. Correspondence and back-up data is 2 years, pursuant to the Government Code Section 34090, which meets the retention required by the *California Local Government Records Management Guidelines (GLGRMG)*.

The *CLGRMG* requires owner manuals to be retained until superseded or terminated plus 2 years pursuant to the Government Code Section 34090; which exceeds the retention required by the adopted *MRRS* which is terminated plus 1 year.

The City Attorney's written consent is included with the attached draft resolution, and the proposed destruction of records is consistent with the City Council's approved Records Retention Schedule and related State laws.

FISCAL IMPACT

The destruction of the specified records noted in the attached draft resolution will not create an expense. The authorization will reduce costs by eliminating the need to store records which have met their retention.

STAFF RECOMMENDATION

Adopt Resolution No. 2012-____.

Attachment: Draft Resolution

RESOLUTION NO. 2012-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS (CORRESPONDENCE AND BACKUP DATA RELATED TO REQUESTS AND/OR PURCHASES FOR GOODS AND SERVICES, CORRESPONDENCE FROM VARIOUS VENDORS PROMOTING UNSOLICITED GOODS AND SERVICES, AND REQUESTS TO BE ON CITY'S BID LIST; OWNER MANUALS FOR EQUIPMENT; PURCHASING FILES: COPIES OF PURCHASE ORDERS, VENDOR/SUPPLIER INFORMATION, CORRESPONDENCE, AND BACKUP DATA) ON FILE IN THE ADMINISTRATIVE SERVICES DEPARTMENT

WHEREAS, Government Code Section 34090, authorizes the destruction of City records, unless otherwise provided by law, with the approval of the legislative body by resolution and the written consent of the city attorney, the head of a city department may destroy any city record, document, instrument, book or paper, under his charge, without making a copy thereof, after the same is no longer required; and

WHEREAS, Government Code Section 34090 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; (e) The minutes, ordinances, or resolutions of the legislative body or of a city board or commission; and

WHEREAS, the adopted City of Moorpark Records Retention Schedule authorizes the retention of departmental purchasing files related to requests/purchases and vendors promoting unsolicited good and services; department copies of purchase orders; vendor/supplier information; correspondence and back-up data to be 2 years, pursuant to the Government Code Section 34090, which meets the retention required by the California Local Government Records Management Guidelines; and

WHEREAS, the California Local Government Records Management Guidelines requires owner manuals to be retained until superseded or terminated plus 2 years pursuant to the Government Code Section 34090; which exceeds the retention required by the adopted City of Moorpark Records Retention Schedule which is terminated plus 1 year, pursuant to the Government Code Section 34090; and

WHEREAS, the Code of Federal Regulations does not include a citation for this record series.

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), the California Local Government Records Management Guidelines, and the City of Moorpark's adopted Retention Schedule.

SECTION 2. 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 3. 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 4. The City Council hereby authorizes the City Clerk to destroy the City Records listed in Exhibit "A".

SECTION 5. 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 19th day of September, 2012.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Attachment: Exhibit "A"

EXHIBIT "A"
RECORDS DESTRUCTION CONSENT

Citations Sources:

Code of Federal Regulations: None Applicable
 California Government (GC) Code, Section 34090, et. seq.
 California Local Government Records Management Guidelines (CLGRMG)
 City of Moorpark Records Retention Schedule (MRRS)

DESCRIPTION	DATES OF RECORDS	RETENTION REQUIREMENT (YEARS)	CITATION (For longest retention period)
Correspondence and Backup Data Related to Requests and/or Purchases for Goods and Services	1983 - 1994; 1997 - 1999	2 Years	MRRS
Correspondence and Backup Data Related to Vendors Promoting Unsolicited Goods and Services and Unsolicited Requests to be on City's Bid List	1983 - 1989; 2000	2 Years	MRRS
Owner Manuals for Equipment	1983 - 1990; 1999	Superseded or Terminated plus 2 Years	CLGRMG
Purchasing Files: Copies of Purchase Orders, Vendor/Supplier Information; Correspondence and Backup Data	1983 - 1993	2 Years	MRRS

Approved for Destruction: *Deborah S. Traffenstedt*
 Deborah S. Traffenstedt, Deputy City Manager

Consent to Destruction: *Joseph M. Montes*
 Joseph M. Montes, City Attorney

Maureen Benson
 Maureen Benson, City Clerk