




Office of the City Manager

CONSENT CALENDAR
November 27, 2012

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Mark Numainville, Acting City Clerk
Subject: Revised Records Retention Schedule

RECOMMENDATION

Adopt a Resolution approving the revised Records Retention Schedule in compliance with the City's Records Management Program and rescinding Resolution No. 64,546-N.S.

FISCAL IMPACTS OF RECOMMENDATION

Adoption of a revised records retention schedule will promote greater accuracy and efficiency cataloging records for inactive storage and retrieval of these records from the City's Records Center. Sound records management practices improve customer service, increase efficiency, and promotes fiscal responsibility. In retaining and storing only official City records, the City is able to save money by not storing duplicate records and copies.

CURRENT SITUATION AND ITS EFFECTS

The Records Retention Schedule is a key element in an effective records management program. While there are currently no state mandated guidelines regarding how often local agencies must update their schedules, state law requires state agencies to revise and update their schedule every five years or whenever a change occurs that impacts the maintenance or disposal of agency records. The City's Records Retention Schedule was updated last in July 2009. Several department divisions and functions have been reorganized during the past three years and changes in both federal and state retention requirements now make it necessary to adopt a revised Records Retention Schedule. This schedule is posted on the City's *Public Information and Records website* at <http://www.ci.berkeley.ca.us/ContentDisplay.aspx?id=4308> as a resource tool for staff and the public.

BACKGROUND

The City's Records Management Program, initially adopted in 1988, calls for periodic review and updates of the Records Retention Schedule. A Records Retention Schedule is a listing of all records produced or maintained by an agency and the actions taken regarding the disposition of these records. A retention schedule is an agency's legal authority to receive, create, retain, preserve and dispose of official public records. It

assists the City by documenting which records require office or temporary storage and which records should be destroyed because they no longer have administrative, fiscal, or legal value. The Office of the City Attorney has provided legal review of each department schedule and all statutory citations.

The revised Records Retention Schedule plays an integral role in managing City information assets more effectively. In addition to providing retention periods, the schedules help identify those record series that would benefit most from automated solutions and tools as we continue to image and electronically manage documents in the City's Records Management Program.

Included with the revised resolution are:

- The revised *General Records Retention Schedule* presented in final format, which has general records guidelines for records common to most departments. The Mayor and City Council records are governed by this schedule.
- Revised individual *Department Retention Schedules* presented in a final format for distribution after adoption.
- *Schedule Change Documentation* showing all revisions made to the existing schedule during the update process. This schedule incorporates all recommendations and comments made by designated department records liaisons, records management staff and the Office of the City Attorney.

Also attached for information purposes only is a document entitled *Policy Objectives and Responsibilities*. It outlines policies and procedures associated with managing City records using the updated retention schedule.

The schedules for the Berkeley Public Library and Rent Stabilization Board are stand-alone schedules, and are submitted to the appropriate legislative bodies for adoption.

RATIONALE FOR RECOMMENDATION

Council's adoption of the proposed *Resolution* approving *General Records Retention Schedule* and revised individual *Department Retention Schedules* will ensure a systematic approach to managing the life cycle of City records, and sustain continued compliance with state laws and federal agency record-keeping guidelines.

CONTACT PERSON

Jami Napier, Records Manager, City Clerk Department, 981-6905

Attachments:

1: Resolution

Exhibit A: General Records Retention Schedule

Exhibit B: Department Retention Schedules

2: Schedule Change Documentation

3: Policy Objectives and Responsibilities

RESOLUTION NO. ##,###-N.S.

APPROVING A REVISED CITYWIDE RECORDS RETENTION SCHEDULE IN COMPLIANCE WITH THE CITY OF BERKELEY RECORDS MANAGEMENT PROGRAM, AND RESCINDING RESOLUTION NO. 64,546—N.S.

WHEREAS, a system for managing the City's information assets, including records retention schedules for the final disposition and scheduled destruction of records and working papers that are no longer needed for administrative, legal, fiscal, historical, or research purposes, is deemed appropriate and essential for the effective conduct of the City's government process; and

WHEREAS, the City of Berkeley desires that no record shall be destroyed or otherwise disposed of by any department of the City unless it is deemed that the record has no further administrative, legal, or fiscal value, and that the City Manager or her designee has deemed that the record is inappropriate for historical preservation; and

WHEREAS, Section 34090 of the California Government Code provides for the destruction, with certain exceptions outlined below, of any City record, document, instrument, book, paper, etc., without making a copy thereof, after the same is no longer required, if done with the approval of the City Council by resolution and the written consent of the Department Director, City Clerk, City Attorney; and

WHEREAS, the Department Directors, City Attorney and City Clerk have approved in writing the Records Retention Schedule and have consented to the specified retention periods in the Departmental Records Retention Schedules, attached hereto and made a part hereof; and

WHEREAS, retention is not required for non-record copies, preliminary drafts, or notes, which are not retained by the City in the ordinary course of business.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley as follows:

1. In accordance with Section 34090 of the California Government Code and Local Government Records Management Guidelines established by the Secretary of State under California Government Code Section 12236, the Council does hereby approve the revised Records Retention Schedule (Exhibits A and B) and authorizes the disposal of records once their stated retention periods have expired.
2. On each occasion a department desires to dispose of records; a Destruction Authorization Memo listing said records shall be provided to the City Clerk as outlined in the City's Records Management Manual.
3. When the Department Director, City Attorney and City Clerk approve records for destruction, the department and records management staff will document the destruction of records on their Destruction Logs.

4. The City will make every effort to identify, preserve and catalog historical records deemed of enduring value to the city.
5. The City Manager, or her designee, is hereby authorized, at her discretion, to make available to officials of the University of California Libraries, or any local historical or preservation society, any records or documents scheduled for destruction, excepting confidential records and documents, which will complement and enhance that entities' archival collections and further their preservation goals.

BE IT FURTHER RESOLVED that Resolution No. 64,546–N.S. is hereby rescinded.

Exhibit A: General Records Retention Schedule

Exhibit B: Department Retention Schedules