

RESOLUTION NO. _____

Resolution Of The City Council Of The City Of Emeryville Adopting Revised City Of Emeryville Records Retention Schedules For The Planning, Building, Economic Development & Housing, Human Resources, Community Services, Finance And Information Technology Departments And Authorizing The Destruction Of Records Per The Attached Retention Schedules Pursuant To Government Code Section 34090; And Authorizing Destruction Of Duplicate Records Pursuant To Government Code Section 34090.7

WHEREAS, the City of Emeryville's current records retention schedule was adopted in 2011; and

WHEREAS, in January of 2016 the Interim City Clerk issued a stop destruction order as the 2011 Retention Schedule was found inadequate; and

WHEREAS, on June 21, 2016 Council adopted Resolution 16-75 adopting revised Retention Schedules for City Administration, City Management, Legal and Legislative and the Police Department; and

WHEREAS, it is a best practice for a city to review and update their records retention schedule periodically to reflect changes in the laws governing records management and changes within the organization; and

WHEREAS, California Government Code Section 34090 allows for the destruction of any City record, document, instrument, book or paper without making a copy thereof, after the same is no longer required and after a specified time period, with the approval of the legislative body by resolution and the written consent of the City Attorney; and

WHEREAS, the City has engaged the services of a records consultant to work with the various departments of the City and has now prepared the schedules for Planning, Building, Economic Development & Housing, Human Resources, Community Services, Finance and Information Technology; and

WHEREAS, the City Attorney and City Clerk's Office have reviewed the seven schedules to be included in the City of Emeryville Records Retention Schedule to ensure the aforementioned schedules meet both statutory and functional records retention requirements; and

WHEREAS, retention is not required for copies of records, preliminary drafts or notes, or interagency or intra-agency memoranda that are not retained by the City in the ordinary course of business; now, therefore, be it

RESOLVED, in accordance with California Government Code Section 34090 the City Council of the City of Emeryville hereby adopts Schedules for Planning, Building, Economic Development & Housing, Human Resources, Community Services, Finance and Information Technology for inclusion in the City of Emeryville Records Retention

Schedule, attached hereto as *Exhibit A*, and authorizes the disposal of records once their stated retention periods have expired; and be it further

RESOLVED, on each occasion a department desires to dispose of records, a Destruction Authorization Memo listing said records will be approved by the City Attorney and the approved Destruction Authorization Memo will be forwarded to the City Clerk; and be it further

RESOLVED, in accordance with California Government Code Section 34090.7, the City Council of the City of Emeryville authorizes staff in the Planning, Building, Economic Development & Housing, Human Resources, Community Services, Finance and Information Technology Departments to destroy duplicates of City records less than two years old if no longer required.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, October 18, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

MAYOR

ATTEST:

APPROVED AS TO FORM:



CITY CLERK

CITY ATTORNEY