

RESOLUTION NO.

Resolution Of The City Council Of The City Of Emeryville Adopting The Revised City Of Emeryville Records Retention Schedules For Public Works, And Authorizing The Destruction Of Records Per The Attached Retention Schedules

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 No. 16-75 adopting revised Retention Schedules for City Administration, City Management, Legal and Legislative and the Police Department; and

WHEREAS, on October 18, 2016, Council adopted Resolution No. 16-138 adopting revised Retention Schedules for Planning, Building, Economic Development & Housing, Human Resources, Community Services, Finance and Information Technology departments; 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 Public Works – Administration, Operations, Engineering and Environmental divisions; 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 Public Works 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 Public Works 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, November 1, 2016, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:



CITY ATTORNEY