



REPORT TO COUNCIL City of Sacramento

915 I Street, Sacramento, CA 95814-2604

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Consent
May 15, 2007

**Honorable Mayor and
Members of the City Council**

Title: Records Retention Scheduling and Disposition Management

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** 1) Allowing for Records Retention Scheduling and Disposition Management; 2) Repealing Resolution No. 2004-377; and 3) Repealing Resolution No. 76-181.

Contact: Aimee M. Felker, Records Manager, 808-7509; Shirley Concolino, City Clerk, 808-5442.

Presenters: Shirley Concolino and Aimee M. Felker

Department: City Clerk

Division: N/A

Organization No: 0700

Description/Analysis

Issue: The City of Sacramento Records Management program includes Records Retention Schedules for each department as well as citywide policies and procedures to manage and properly dispose of City records. Records Retention Schedules are dynamic, subject to changing departmental business needs, evolving technology, organizational re-structuring and new program development as well as city, state and federal regulations. The current resolutions do not address revisions or additions to the Records Retention Schedules and are inconsistent with records destruction approval requirements.

The proposed records retention and disposition review process will ensure records are retained to meet business, audit and legal needs, minimize risks of non-compliance (and associated fines), incorporate electronic records and other special media requirements, ensure historical records are retained in perpetuity, and enhance the City's transparency in government.

Policy Considerations: Approval of this action will eliminate discrepancies between conflicting resolutions and establish a consistent process.

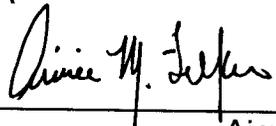
Environmental Considerations: None.

Commission/Committee Action: None.

Rationale for Recommendation: The approved retention for many individual records on the current Records Retention Schedules does not meet all business, legal or historical record keeping requirements. Currently there is no routine mechanism in place to update records retention schedules. This puts the City of Sacramento at risk for inappropriate disposition of public records.

Financial Considerations: No additional funding is requested.

Emerging Small Business Development (ESBD): N/A

Respectfully Submitted by: 
Aimee M. Felker
Records Manager

Recommendation Approved:


Shirley Concolino
City Clerk

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Attachment 1

Background:

Adoption of the proposed resolution will provide for continued proper identification and disposition, i.e. destruction or transfer to the City Archives, of City records. The practices will be based on industry best practices, will ensure compliance with city, state and federal regulations and will meet individual department, legal, audit and historical record keeping requirements.

As more records are "born digital", proper management requires a life-cycle approach. For instance, it is essential to address records retention requirements as the City transforms from paper based systems to electronic business processes. Records Management will ensure the City maintains the authenticity and integrity of information as well as accessibility to information for as long as is required for business, legal, regulatory or historical purposes.

The City's Records Management program is currently authorized under two resolutions. Resolution No. 76-181, approved on April 13, 1976, authorizes destruction of certain City records, excluding police, personnel and investigatory records, pending review by the Executive Director of the Museum and History Commission. Resolution No. 2004-377, approved on May 25, 2004, adopted a records retention schedule and authorizes destruction of certain City records pending approval of the Department Head and written consent of the City Attorney.

Policies established in resolutions 2004-377 and 76-181 do not meet standard records management practices nor provide for a review structure that adequately protects City interests. The proposed resolution will establish policy that will ensure that all audit requirements have been met, that records have been reviewed to determine their long-term archival value, and that electronic or other special media records are fully managed and reviewed prior to destruction. .

This resolution combines the essential elements specific to both resolutions and further strengthens the City's Records Management program by creating a reasonable and repeatable records review process.

RESOLUTION NO.

Adopted by the Sacramento City Council

Date

**RESOLUTION APPROVING RECORDS RETENTION SCHEDULING
AND DISPOSITION MANAGEMENT;
REPEALING RESOLUTION NO. 2004-377;
AND REPEALING RESOLUTION NO. 76-181**

BACKGROUND:

- A. The City of Sacramento is committed to managing its records according to best practices to ensure business, audit, legal, historical and regulatory requirements are met.
- B. Government Code of the State of California § 34090 provides for a procedure whereby any City record which has served its purpose and is no longer required may be destroyed.
- C. Resolutions 76-181 and 2004-377 do not meet current records management best practices; the provisions are in conflict with each other and should be repealed.
- D. Records Retention Schedules are not static; schedules must continually be updated as business processes, legal requirements and regulatory changes dictate.
- E. City staff has identified a reasonable and repeatable records retention review process.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1: The records of the City of Sacramento are hereby authorized to be destroyed as provided in sections 34090 et seq. of the California Government Code without further action by the City Council.
- Section 2: The City Clerk is authorized to adopt, and amend as necessary, a records retention schedule consistent with Section 1 of this resolution and that requires greater retention periods for City records than those periods required by sections 34090 et seq. of the California Government Code or other applicable provisions of state and federal law.
- Section 3: Resolutions 76-181 and 2004-377 are hereby repealed.