



OFFICE OF THE CITY CLERK

CITY HALL

10300 TORRE AVENUE • CUPERTINO, CA 95014-3255

TELEPHONE: (408) 777-3223 www.cupertino.org

CITY COUNCIL STAFF REPORT

Meeting: September 5, 2017

Subject

Resolution amending City's Records Retention Schedule and authorizing the destruction of records.

Recommended Action

Adopt the draft resolution rescinding Resolution No. 13-094 adopting an amended Records Retention Schedule for the City of Cupertino and authorizing the destruction of records.

Background

The last update to the City's Records Retention Schedule was adopted November 19, 2013. A further update to the schedule is necessary to note changes to department names, additions and modifications to specific records series, and to accommodate any changes in law.

Discussion

The purpose of the program is to apply efficient and economical methods to the creation, utilization, maintenance, retention, preservation and disposal of all records managed by the City. By identifying which department is responsible for maintaining the original record and by establishing clear retention periods for different categories of records, Cupertino will realize significant savings in labor costs, storage costs, free filing cabinet and office space, and realize operational efficiencies. Maintenance of numerous records is expensive, slows down document retrieval, and is not necessary after a certain period of time for the effective and efficient operation of City government.

It is standard business practice for California cities to authorize the routine destruction of records that have exceeded their adopted retention period. The proposed resolution amending the Records Retention Schedule will allow staff to streamline the implementation of the schedule by providing the authorization required by Government Code Section 34090 without sending each individual destruction list to City Council for approval. No records shall be destroyed without the prior written approval of the Department Head of the Office of Record, City Clerk, and City Attorney. Litigation,

claims, complaints, audits, Public Records Act requests, and/or investigations suspend normal retention periods and are not subject to this authorization.

The City Clerk and City Attorney will continue to periodically review and update the Records Retention Schedule, with input from the departments, for City Council approval.

Prepared by: Grace Schmidt, City Clerk

Approved for Submission by: David Brandt, City Manager

Attachments:

A - Draft Resolution

B – Draft Records Retention Schedule Redline

C – Draft Records Retention Schedule Clean

D – Previously adopted Resolution No. 13-094