

## **RESOLUTION NO. 17-**

### **A RESOLUTION OF THE CUPERTINO CITY COUNCIL RESCINDING RESOLUTION NO. 13-094 ADOPTING AN AMENDED RECORDS RETENTION SCHEDULE FOR THE CITY OF CUPERTINO AND AUTHORIZING THE DESTRUCTION OF RECORDS**

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required may be destroyed; and

WHEREAS, the State of California has adopted guidelines for retention period for various government records; and

WHEREAS, the City of Cupertino recognizes the importance of providing clear, specific record descriptions and retention periods, and applying current law and technology to a records retention program; and

WHEREAS, the Records Retention Schedule was designed to apply efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, destruction, and disposal of City records; and

WHEREAS, on March 4, 2002, the Cupertino City Council adopted Resolution No. 02-037 adopting the Local Government Retention Guidelines administered by the California State Archives Division of the Secretary of State's office as the Records Retention Schedule for the City of Cupertino; and

WHEREAS, on May 1, 2012, the Cupertino City Council rescinded Resolution No. 02-037 and adopted Resolution No. 12-039 amending the Records Retention Schedule to add specific record types and extend timelines on certain record types; and

WHEREAS, on November 19, 2013, The Cupertino City Council rescinded Resolution No. 12-039 and adopted Resolution No. 13-094 adopting a Records Retention Schedule for the City of Cupertino; and

WHEREAS, the term "records" as used herein shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers; as defined by the California Public Records Act; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cupertino hereby takes the following action:

Section 1: Rescinds Resolution No. 13-094

Section 2: The records of the City of Cupertino, as set forth in the Records Retention Schedule Exhibit A, attached hereto and incorporated herein by this reference, are hereby authorized to be destroyed as provided by Government Code Section 34090 and in accordance with the provision of said schedule without further action by City Council, provided that 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.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 5th day of September, 2017 by the following vote:

Vote

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

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Grace Schmidt, City Clerk

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Savita Vaidhyanathan,  
Mayor, City of Cupertino