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CITY COUNCIL STAFF REPORT

Meeting: January 21, 2020

Subject

Resolutions declaring a Trusted System for the management and retention of records and updating the City's Records Retention Schedule to authorize the destruction of records without Council action.

Recommended Action

- a. Adopt the Draft Resolution declaring a Trusted System for the management of records and the automation of retention requirements and adopting the Trusted Electronic System Policy instituting the city's standards for proper management of records. (Attachment A); and
- b. Adopt the Draft Resolution rescinding Resolution No. 17-088 and adopting an updated Records Retention Schedule for the City of Cupertino and authorizing the destruction of records. (Attachment B).

Background

The last update to the City's Records Retention Schedule was adopted September 5, 2017. An update to the Schedule is necessary as the City is prepared to move forward with City records being managed in electronic format rather than paper, microfilm, or other electronic media and to automate the records retention requirement process. In order to comply with Federal and State law and other requirements, the City must declare a Trusted System for the management of electronic records where the electronic record is to serve as the City's official copy of that record and to enable the City to promptly destroy the paper version of that record. The Records Retention Schedule must be updated to mirror the folder/file structure in the Trusted System. The proposed Records Retention Schedule is included as Attachment C to this staff report.

Discussion

Staff has been working with Kaizen Info Source to help create a roadmap for the implementation of information management. The project goal is to connect the City's current records management program and the current document management system (Laserfiche) to ensure the proper management of electronic records in a Trusted System that complies with Federal and State law. (See Attachment D -- City of Cupertino Laserfiche Strategic Roadmap Overview).

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 updating the Records Retention Schedule will allow staff to streamline the implementation of the Schedule by providing the authorization required by Government Code Sections 34090 and 34090.5 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 until the issue is resolved then the record is subject to the stated retention period. The City Clerk and City Attorney will have the authority to periodically review and approve minor updates to the Records Retention Schedule as necessary with input from the departments pursuant to the Resolution rescinding Resolution No. 17-088 and adopting an updated Records Retention Schedule. Minor updates include updates to comply with changes to state law and regulations for the retention of government records and trusted electronic systems or the addition of new types of records not currently reflected in the Records Retention Schedule. Any significant updates to the Records Retention Schedule will be approved by the City Council.

The proposed resolution declaring a Trusted System for the management of records and the automation of retention requirements is necessary to comply with all laws and requirements. It will also allow for the automation of retention requirements for electronic documents and help in streamlining the records management process.

Sustainability Impact

None

Fiscal Impact

None

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Approved for Submission by: Deborah Feng, City Manager

Attachments:

A - Draft Resolution declaring a Trusted System for the management of records

B - Draft Resolution amending the City's Records Retention Schedule

C – Draft Records Retention Schedule

D – City of Cupertino Laserfiche Strategic Roadmap Overview