

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: RECORD RETENTION

Date Adopted: August 19, 2003

File Number 1.10

### **POLICY OBJECTIVE**

To establish a Record Retention Program to apply efficient and economical management methods for the creation, utilization, maintenance, retention, preservation, and disposal of all City records used in the internal operations of the City's business. Nothing herein is intended to waive the exemption of those particular records excluded from the California Public Records Act as set forth in Section 6254 of the Government Code.

### **SCOPE**

The Records Retention Program covers all city records, documents, instruments, books or papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documents produced, received, owned or used by an agency, regardless of physical form or characteristics.

### **ASSIGNED RESPONSIBILITY**

The Records Retention Program shall be administered by each Department Head.

Each Department Head shall appoint a records representative to work in the implementation of the Records Retention Program.

The Department Head and the City Attorney shall review the records appraisals prepared by the Records Representative and shall approve the records retention schedules.

The City Attorney and the appropriate Department Head shall recommend the destruction of those records to be authorized by the City Council.

The City Clerk shall administer the appraisal of Council and Municipal Election records, and the City Attorney shall review destruction schedules for those records to be authorized by the City Council.

### **RECORDS RETENTION PROGRAM**

Pursuant to Resolution No. 2003-37, the most current *Local Government Records Management and Retention Guidelines* (EXHIBIT A) published by the Archives Division of the Secretary of State's office shall be used for appraising and establishing retention schedules, and for scheduling storage and destruction of records. Each Department may by resolution of the City Council, adopt a records retention policy to define records retention periods in excess of the minimum recommendations listed in the state *Guidelines*.

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: RECORD RETENTION

Date Adopted: August 19, 2003

File Number 1.10

Pursuant to California Government Code Section 34090, the following records are not authorized for destruction:

- a. Records affecting the title to real property or liens thereon.
- b. Court records.
- c. Records required to be kept by statute.
- d. Records less than two (2) years old.
- e. The minutes, ordinances, or resolutions of the City Council of the City of Eureka, the Eureka Redevelopment Agency, the Eureka Public Financing Authority, or any city board, committee, commission, or joint powers authority.

Upon approval of the City Council by resolution and the written consent of the City Attorney, the Department Director may cause to be destroyed certain specified records in compliance with minimum retention requirements of the *Local Government Records Management and Retention Guidelines* and any departmental records retention policies in effect.

Pursuant to California Government Code Section 34090.5, public records, documents, instruments, books, and papers, may be destroyed without the approval of the City Council or the written consent of the City Attorney, if all of the following conditions are complied with:

- a. The record, paper, or document is photographed, micro-photographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document, or reproduced on film, optical disk, or any other medium.
- b. The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one which accurately and legibly reproduces the original thereof in all details and that does not permit additions, deletions, or changes to the original document images.
- c. The photographs, micro-photographs, or other reproductions on film, optical disk, or any other medium are made as accessible for public reference as the original records were.
- d. A true copy of archival quality of the film, optical disk, or any other medium reproductions shall be kept in a safe and separate place for security purposes.

However, no page of any record, paper, or document shall be destroyed if any page cannot be reproduced on film with full legibility. Every un-reproducible page shall be permanently preserved in a manner that will afford easy reference. Every reproduction accordingly shall be deemed to be an original record.

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: RECORD RETENTION

Date Adopted: August 19, 2003

File 1.10  
Number

The duplicates of records less than two (2) years old, which are no longer required, as determined by the Department Head, may be destroyed without further action of the City Council, pursuant to California Government Code Section 34090.7.

Audio and video recording mediums such as audiotapes, videotapes and films, shall be considered duplicate records for purposes of destruction if there is another record of the event such as written minutes or an audiotape recording, however, said video recording medium, shall not be destroyed or erased for a period of at least ninety (90) calendar days after occurrence of the event, pursuant to California Government Code Section 34090.7.

The destruction of records in compliance with the retention schedule shall include the destruction of electronic records whether defined as an original or duplicate.

The destruction of paper records as provided herein shall be by recycling, unless the record is confidential. Confidential records shall be shredded.