June 2, 2009

TO: Mayor and City Council

FROM: Katherine Gong Meissner, City Clerk

SUBJECT: APPROVE THE REVISED CITYWIDE RECORDS RETENTION SCHEDULE AND INCLUDE A BIENNAL UPDATE PROVISION

RECOMMENDATION

It is recommended that the City Council adopt a resolution to update and revise the City’s Records Retention Schedule and include a biennial update provision. (Note: a hard copy of the revised Records Retention Schedule, including a red-line version is on file in the Office of the City Clerk for review.)

Summary

The adoption of this revised Citywide Records Retention Schedule will ensure that the City assigns to its records the appropriate storage and retention policies in compliance with the California Government Code and other applicable state and federal laws. In addition, as e-discovery laws continue to evolve, it is imperative that the City put in place a retention schedule that provides for a biennial review to ensure that records retention is governed by the most current, relevant laws.

DISCUSSION

Background

On December 03, 2002, the City Council approved Council Resolution No. 02-0702, adopting the Citywide Records Retention Schedule. Since its adoption, the City Clerk’s Office has been updating the schedules as requested by Departments and holding training sessions with each Department on the use and implementation of the Records Retention Schedule. In addition, the City has, through membership in professional organizations, been made aware of the requirements of the California Government Code as it relates to Document and Content Management.

In the future, the City plans to implement a robust Citywide Enterprise Content (and Records) Management (ECM) System. In preparation for the implementation of the ECM, it is necessary to fully revise the schedules for all Departments, as significant organizational changes and operational changes have taken place within the last five years. The initial Records Retention Schedule did not include audio files and video files, AS/400 backup tapes, web pages, and Data Systems, i.e., File Server. Nor did it include definitive reference to California Government Code section 34090.
APPROVE THE REVISED CITYWIDE RECORDS RETENTION SCHEDULE AND INCLUDE A BIENNIAL UPDATE PROVISION

(Page 2)

Present Situation

The updates to these schedules have been facilitated by Gladwell Governmental Services, Inc. (GGS), who prepared the original retention schedule for the City. GGS has met with staff from all departments to determine the need for additions and changes to existing classifications.

The modifications reflect provisions to include audio files and video files, AS/400 backup tapes, web pages and Data Systems, i.e., File Server, changes in the Office of Record ("Office of Record" refers to the department that has control over the record), and length of retention periods.

The City does not have a stated policy regarding the update cycle for its Records Retention Schedule. By setting a two (2) year schedule for updating the Schedule, the City helps ensure that it will remain in compliance with applicable laws governing the use and destruction of records.

The changes to the schedule were submitted to the City Attorney's Office for final review and approval. The City Attorney's Office has completed review of the schedule and has confirmed and revised the information contained in the schedule as applicable to this City.

The attached resolution provides for a review, update, and revision of the Records Retention Schedule every two (2) years, and delegates the authority to make future changes to schedules with the consent of the City Clerk, City Manager, and City Attorney.

FINANCIAL SUMMARY

There is no cost to the City to revise the Records Retention Schedule.

Respectfully submitted,

KATHERINE GONG MEISSNER
CITY CLERK

APPROVED BY

J. GORDON PALMER, JR.
CITY MANAGER

KGM:bp

::ODMA\GRPWISE\COS.CC.CC_Library:117114.1
Resolution No. ____________

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE REVISED CITYWIDE RECORDS RETENTION SCHEDULE, AND INCLUDING A BIENNIAL UPDATE PROVISION

On December 03, 2002, by Council Resolution No. 02-0702, the City Council/Redevelopment Agency adopted the Citywide Records Retention Schedule; and

Periodic changes and revisions to the Retention Schedule are required to stay in compliance with changing laws and administrative requirements; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council hereby approves and adopts the revised Records Retention Schedule, a copy of which is on file with the City Clerk. The schedule establishes the time frames and media for retention, and the time frames for the destruction of, City “records,” as that term is defined by applicable statutes and cases of the State of California, and as provided in the schedule; and

2. The City Council hereby approves the establishment of a biennial (two year) schedule for updating the Records Retention Schedule.

3. The City Manager and City Clerk are authorized and directed to take the steps necessary to carry out the purpose and intent of this resolution.

PASSED, APPROVED, and ADOPTED ________________

ATTEST:

ANN JOHNSTON, Mayor
of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton

::ODMA|GRPWISE|COS.CC.CC_Library: 117288.1

DATE: ____________
MAY 27 2002