TO: Mayor and City Council

FROM: Katherine Gong Meissner, City Clerk

SUBJECT: **UPDATE TO CITYWIDE RECORDS RETENTION SCHEDULE**

RECOMMENDATION

It is recommended that the Council adopt a resolution approving the listed updates to the Citywide Records Retention Schedule.

DISCUSSION

On December 03, 2002, the City Council approved Council Resolution 02-0702 adopting the Citywide Records Retention Schedule. Periodically, updates to the Citywide Records Retention Schedule need to be made as new document types are established, government code changes or administrative needs change. This action keeps the retention schedules current and in compliance. Since its adoption, the City Clerk’s Office has conducted training sessions with each department on the use and implementation of the Records Retention Schedule. As staff has become more aware of the various types of records being produced in their respective departments, the need for additions and changes to existing classifications has arisen. The modifications reflect changes in the Office of Record (this refers to the department that has control over the record) or length of retention periods.

The desired changes have been reviewed by the Records Management Consultant, Gladwell Governmental Services, Inc., who prepared the existing schedules, for information regarding the industry norm relative to retention of record types. The consultant also provided information regarding retention according to applicable laws. 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 schedules and has confirmed and revised the information contained in the schedule as applicable to this City.

Current Situation

The changes to the Citywide Records Retention Schedule are being recommended to the Council for approval as per Exhibit A.

AGENDA ITEM 6.01
May 09, 2006

UPDATES TO THE CITYWIDE RECORDS RETENTION SCHEDULE
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FINANCIAL SUMMARY

There are no costs associated with the proposed changes to the Citywide Records Retention Schedule.

Respectfully submitted,

[Signature]

KATHERINE GONG-MEISSNER
CITY CLERK
KGM: bh

Attachments
## RECORDS RETENTION SCHEDULE: CODE ENFORCEMENT

<table>
<thead>
<tr>
<th>Office of Record</th>
<th>Classification OR</th>
<th>Records Description</th>
<th>Retention / Disposition</th>
<th>Comments / Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>File Number (OFR)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Active (in office)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inactive (Off-site, OD or Mfr)</td>
<td>Total Retention</td>
<td></td>
</tr>
</tbody>
</table>

**Current:**

| Police | PD14 | Background Files - Employees, Volunteers & Reservists | Separation + 30 years | Separation + 30 years | Mag, Mfr, OD, Ppr | S / I | Yes: When Inactive | Retained for administrative value; Stockton requires 5 years for Police & Fire, 3 years for miscellaneous employees; Stockton Civil Service Rule XV Sec. 3; GC §34090 |

**Change:**

| Police | PD14 | Background Files - Employees, Volunteers & Reservists | Separation + 3 years | Separation + 3 years | Mag, Mfr, OD, Ppr | S / I | Yes: When Inactive | Retained for administrative value; Stockton requires 5 years for Police & Fire, 3 years for miscellaneous employees; Stockton Civil Service Rule XV Sec. 3; GC §34090 |
# Records Retention Schedule: Code Enforcement

<table>
<thead>
<tr>
<th>Office of Record</th>
<th>Classification OR File Number</th>
<th>Records Description</th>
<th>Retention / Disposition</th>
<th>Comments / Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Active (in office)</td>
<td>Inactive (Off-site, OD or Mfr)</td>
<td>Total Retention</td>
</tr>
<tr>
<td>Current:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police PD15</td>
<td>Background Files - Unsuccessful Applicants (Not Hired)</td>
<td>10 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Change:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Police PD15</td>
<td>Background Files - Unsuccessful Applicants (Not Hired)</td>
<td>3 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire FD30</td>
<td>Internal Investigations</td>
<td>Separation + 5 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire FD31</td>
<td>Background Files</td>
<td>Separation + 5 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire FD32</td>
<td>Background Files (Unsuccessful Candidates)</td>
<td>5 years</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If the record is not listed here, refer to the Retention for City-Wide Standards.

Retentions begin when the act is completed, and imply a full file folder (e.g., last document + 2 years), since destruction is normally performed by file folder.

Litigation, complaints and/or claims suspend normal retention periods (retention begins after settlement). Special rules apply when a minor is involved.

Current:

- Police PD15, Background Files - Unsuccessful Applicants (Not Hired): 10 years (Total Retention), 10 years (Vital? = No).

Change:

- Police PD15, Background Files - Unsuccessful Applicants (Not Hired): 3 years (Total Retention), 3 Years (Vital? = No).

Add:

- Fire FD30, Internal Investigations: Separation + 5 years.
- Fire FD31, Background Files: Separation + 5 years.
- Fire FD32, Background Files (Unsuccessful Candidates): 5 years.

Department Preference; EEOC / FLSA / ADEA (Age) requires 3 years; State Law requires 2 - 3 years; Stockton Civil Service Rules do not apply; 29 CFR 1627.3(a)(5) and (6), 8 CCR §11040.7(c), GC §§12945, 34090.
RESOLUTION AUTHORIZING AN UPDATE TO THE CITYWIDE RETENTION SCHEDULE

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

WHEREAS, periodic changes and revisions to the Retention Schedule are required to stay in compliance with changing laws and administrative requirements; and

WHEREAS, it is necessary to approve to approve the update to the Citywide Retention Schedule; now, therefore,

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

1. The City Council hereby approves and adopts the update, attached as Exhibit A and by reference made a part hereof, to the “Records Retention Schedule,” (a copy is on file with the City Clerk), establishing the time frames and media for retention and the approved schedule of destruction of those items constituting the records of this City, as defined by the various statutes and cases of the State of California, and as provided therein.

2. The City Manager is authorized and directed to take the steps necessary to carry out the purpose and intent of this resolution.

PASSED, APPROVED, and ADOPTED

ATTEST:  

EDWARD J. CHAVEZ, Mayor of the City of Stockton

KATHERINE GONG MEISSNER  
City Clerk of the City of Stockton