



CITY OF BEVERLY HILLS

STAFF REPORT

Meeting Date: September 11, 2012

To: Honorable Mayor & City Council

From: David Schirmer

Subject: Request by Vice Mayor Mirisch for City Council Discussion of the City's 30-day Email Retention Policy

Attachments:

1. Administrative Regulation 4C.11 Electronic Mail and Messaging
2. Public Records Retention Schedule

INTRODUCTION

Vice Mayor Mirisch has requested a discussion pertaining to the City's 30-day email retention policy.

DISCUSSION

In July of 2005, the City adopted Administrative Regulation 4C.11 establishing guidelines for creating, sending, receiving, and storing email. A key provision of this document established a 30-day retention period for the contents of the City's email system that had not been moved into an electronic file. The principal business drivers in establishing this policy included minimizing the impact to computing infrastructure, facilitating a more sustainable document management process, and encouraging best-practices related to public records retention.

These best practices include determining if an email is a public record that must be retained beyond the 30-day period. If retention of an email is necessary or convenient for the discharge of the public's business, then the email must be retained beyond the 30-day period and the policy indicates that the item is to be transferred to more permanent storage, either electronic or hard copy.

When this transfer happens, the document is considered a public record that must be maintained for the appropriate retention period. This typically is for a period of at least two years, but each document is subject to the retention periods identified in the City's retention schedule, and may be longer, and even permanent.

Prior to establishing this policy in 2005, email management was problematic from an information technology perspective, as email accumulation was taxing the limits of the City's hardware and software. Email archive-file size had a software limitation of two gigabytes, the time to back up the mail stores were excessive and made restore difficult, and search and retrieval from this vast store of email was inefficient.

The City currently receives roughly 800,000 pieces of external email per month. Additionally, internal email traffic amounts to 100,000 pieces for a total of 900,000. Much of this email traffic may be characterized as "notes" (e.g., "I am running late," or "can we meet at 10:00 a.m." or "there is cake in the kitchen in celebration of John's birthday"). Some email is outright spam. Were the 30-day retention policy removed the City would have to manage some 10.8 million individual pieces of email per year. These numbers become challenging when trying to retrieve specific documents in response to discovery and public records requests. Were the City to modify the existing retention policy, the Information Technology Department would recommend investing in 'eDiscovery' tools to make this process more manageable by reducing the amount of staff time to process.

A recent partial survey of email retention periods for California Cities and Districts resulted in a wide range of retention periods, from 30 days to two years with some having no policy. The results are as follows:

	City or Municipality	Retention Period (Days)
1	City of West Hollywood	30
2	City of Glendora	30
3	City of Redondo Beach	30
4	El Monte	30
5	City of Riverside	30
6	City of Bakersfield	30
25	City of Garden Grove	30
7	City of Monterey	60
21	City of Fountain Valley	60
8	City of Carlsbad	90
9	City of Moreno Valley	90
10	City of Covina	90

11	City of Norco	90
12	City of San Jose	90
22	City of Santa Clarita	90
23	Western Municipal Water District	90
24	Foster City	90
13	Olivenhain Municipal Water District	180
14	La Habra City	180
15	City of Diamond Bar	730
16	Lake Forest	730
17	City of Pasadena	730
18	City of Monrovia	N/A
19	Eastern Municipal Water District	N/A
20	City of Fresno	No Retention Schedule

With the implementation of the Community Video Security program, the City has built infrastructure that can accommodate these large datasets. The intent of the policy, however, is to cause mail recipients to consider whether the documents at hand are public records that should be retained, or if they are simply notes or similar items that are not needed for any informational purpose and may be discarded once no longer useful. This determination step is key to effective document management, and as such, refresher training classes will be organized to ensure that the City remains compliant.

FISCAL IMPACT

None

RECOMMENDATION

Pending City Council discussion, Staff seeks any appropriate direction.



David Schirmer

Approved By

Attachment 1

ADMINISTRATIVE REGULATION

CITY OF BEVERLY HILLS

AR No. 4C.11

Effective: July 1, 2005

ELECTRONIC MAIL AND MESSAGING POLICY

I. PURPOSE

- A. The purpose of this Administrative Regulation is to establish guidelines for creating, sending, receiving, and storing electronic mail messages using the City of Beverly Hills electronic mail (E-mail) system from within the City network as well as via the Internet.
- B. This Administrative Regulation does not supersede any state or federal laws, or other City policies regarding confidentiality, information dissemination, or standards of conduct.

II. SCOPE

- A. This Administrative Regulation applies to all Workers regardless of status, including but not limited to employees (permanent, exempt, probationary, part-time, and others), volunteers and contractors, who have been given access to the City E-mail system through the use of an account.
- B. This Administrative Regulation applies to the contents of E-mail communications, and to the electronic attachments and transactional information with such communications. This policy applies only to E-mail records in electronic form, not to printed copies of electronic records or printed copies of transactional information.
- C. Please refer to the Information Systems Acceptable Use Administrative Regulation (4C.14) for general computer usage policies.

III. RESPONSIBILITY

- A. The City Manager, City Attorney, Director of Human Services and Director of Information Technology are the primary persons charged with administering these policies.
- B. Any request to monitor an individual E-mail account shall be submitted to the Director of Human Services. If approved, Information Technology will work with the specific department to provide the requested information or to provide access to an E-mail account.
- C. Authorized users shall not have an expectation of privacy in E-mail transmitted via or stored on the City's network. The City reserves ownership of all E-mail communications and file attachments residing on the City's E-mail system. All E-mail accounts may be monitored at any time and for any reason in accordance with the process outlined above or as provided in other Administrative Regulations.

- D. Authorized users shall act responsibly and professionally in their use of E-mail. While communicating in E-mail, users shall follow proper etiquette. Clear, civil, respectful language and wording shall be used in composing messages. Written insults, rudeness, innuendos, harassing, intimidating and/or threatening messages are prohibited.
- E. Authorized users shall compose E-mail messages in normal upper and lower case style as would be used in a formal written letter. Users shall refrain from sending ALL-UPPER-CASE messages, which are considered the same as "shouting" and may imply undue importance and urgency.
- F. E-mail messages shall contain appropriate Subject titles that describe in very concise words the general content of the overall message.
- G. E-mail messages shall be considered the same as a formal written letter and shall follow the same general etiquette and formatting. As a general guideline, authorized users should not send any messages or content via E-mail that they would not be willing to send in a formal written letter representing the City.
- H. The use of a Blind Carbon Copy (Bcc) in an E-mail message is discouraged except when it is used within an official capacity to preserve the confidentiality of recipients in a formal distribution list thereby limiting the interaction of the recipients. Most authorized users are not likely to have an appropriate need to use the Bcc function.

IV. PROCEDURES

A. E-mail Retention and Storage

1. All E-mail items older than thirty (30) days will automatically be deleted from the E-mail system. If a message is deemed relevant beyond the thirty (30) day retention period, it should be transferred by the user from the E-mail system to an electronic file or printed. As a caveat, retained messages are regarded as a Public Record per the California Public Records Act, Government Code Sections 6250-6268.
2. The E-mail system is backed-up daily, including each user account. Backup files for each E-mail account are retained for forty-eight (48) hours. Backing-up the E-mail system is solely for recovery of the E-mail system due to a catastrophic failure and is not intended to support the recovery of deleted messages nor the analysis of a particular E-mail account.

B. E-mail Attachments

Information Technology reserves the right to limit the size of E-mail attachments, both incoming and outgoing, to maintain the efficient operation of the City E-mail system and as a courtesy to external mail systems.

C. Recommended Signature Line

The E-mail system provides for multiple "signature lines" as a means of providing additional information about the sender. For inbound and outbound E-mail, the recommended format shall be as follows, using Times New Roman, 10-point Font:

Name
Title
Department
City of Beverly Hills
Address
Beverly Hills, CA 902xx

Direct: 310.xxx.xxxx
Pager: 310.xxx.xxxx
Fax: 310.xxx.xxxx
E-mail: account@beverlyhills.org

D. Distribution Lists

Distribution lists are maintained in the E-mail system's Global Address Book. Lists are provided to help with the distribution of important messages to City users. The sending of a "Citywide" E-mail message is restricted to work-related information of some urgency and shall be reviewed and have the approval of the Department Head and the City Manager's Office. Replies to the author of a Citywide message shall be directed only to the author and not to all members of the distribution list. To accomplish this, authorized users shall select "Reply" in the reply dialog box, instead of, "Reply to All".

E. SPAM and Unsolicited E-mail

Unwelcome and unsolicited E-mail messages can result in the reduction of timely delivery of E-mail, both internally and externally, and are used as a delivery mechanism for introducing computer viruses, unsolicited advertising, and sexually explicit materials. The City reserves the right to implement keyword filtering techniques, file attachment filtering techniques, virus protection, and blocking of inappropriate or offensive content. Sender blocking may also be used to maintain the integrity and security of the City's E-mail system.

F. Personal E-mail Disclaimer

Authorized users of the City E-mail system shall be aware if sending an E-mail message of a personal nature, that their words may be interpreted as official City policy or opinion. The following disclaimer shall be used at the end of a personal message:

"This E-mail contains the thoughts and opinions of INDIVIDUAL and does not reflect official City of Beverly Hills policy."

G. Confidential E-mail Disclaimer

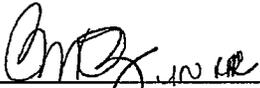
If the content of the E-mail contains confidential information, the following disclaimer is recommended:

"This message contains information which may be privileged, confidential and intended only for the addressee. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any use, dissemination, distribution or reproduction of this communication, or any part thereof, is strictly prohibited. If you have received this message in error, please advise the sender by reply E-mail and delete the message."

V. MORE INFORMATION

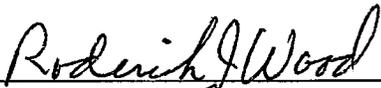
For questions or additional information relating to this Administrative Regulation, please contact Human Services or the Department of Information Technology.

Approved as to form:

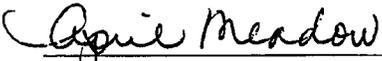


LAURENCE S. WIENER
City Attorney

Approved as to content:



RODERICK J. WOOD
City Manager



APRIL MEADOW
Director of Human Services



KEONE KALI
Director of Information Technology

**City of Beverly Hills
Information Technology Acceptable Use
Worker Agreement**

I have read the following City Administrative Regulations related to Information Technology:

- Electronic Mail and Messaging Policy (AR 4C.11)
- Acceptable Use Policy (AR 4C.14)
- Password Policy (AR 4C.15)
- Virus Protection Policy (AR 4C.18)
- Separation Protocol (AR 4C.19)

I agree to use City information systems consistent with the above policies. All information contained on or communicated through City information resources is subject to security, monitoring and disclosure to City management. **I understand that any information stored on or communicated through any City system is considered a Public Record and that I shall have no expectation of privacy in regards to my use of these systems to store or transmit information.**

I also understand that as a Worker, regardless of status, including but not limited to employees (permanent, exempt, probationary, part-time, and others), volunteers and contractors, who have been granted access to City information through the use of an account, I share the responsibility of safeguarding confidential information stored on City information resources. I shall not: 1) use the information, nor cause the information to be used for any purpose other than in the performance of my duties to the City; 2) participate in the wrongful use, illegal use, or unauthorized disclosure of the information; or 3) sell, release, free trade, assign, or provide access to the information, directly or indirectly, to third parties. Any other use of such information may be grounds for disciplinary action including termination.

I will inform my supervisor promptly of any inadvertent breach of security or confidentiality on my part.

Upon termination and/or separation of employment or other association with the City, I shall return all copies of media containing confidential City information.

I understand that violations of these Administrative Regulations may result in disciplinary action up to and including termination.

I have received a copy of this Agreement for my personal records.

Worker Name (printed or typed): _____

Department: _____

Signature: _____ Date: _____

(To be filed in Worker's Personnel Folder)

ATTACHMENT 2

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

Office of Record	Retention No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>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.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Admin. Services / Human Resources / Risk Management	CW-001	Accident, Incident, Injury reports: PUBLIC or EMPLOYEES Includes associated MSDS (Material Safety Data Sheet), if a chemical is involved	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Ppr		Copies retained for reference; GC §34090.7
Admin. Services / Finance / Accounting	CW-002	Accounts Payable, Invoices, Petty Cash, Warrant Requests, etc. ALL backup is forwarded to Finance	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Payment		Mag, Ppr		All originals go to Finance (these are copies); GC §34090.7
Lead Dept.	CW-003	Administrative Hearings / Appeals	When No Longer Required - Minimum Resolution + 2 years		When No Longer Required - Minimum Resolution + 2 years	Yes: While Active Issues		Mag, Ppr		Department preference; GC §34090
Lead Dept.	CW-004	Affidavits of Publications / Public Hearing Notices / Legal Advertising / Affidavits of Posting	Project Approval + 2 years		Project Approval + 2 years			Mag, Mfr, OD, Ppr		Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §§34090, 54960.1(c)(1)

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(OFR)											
Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.											
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, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).											
City Clerk	CW-005	Agenda Packets / Staff Reports: City Council & PFA	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Mfr, OD, Ppr	S	Yes: After 2 years	GC §34090.7
City Clerk	CW-006	Agreements & Contracts, Leases, MOUs, etc. Agreement or Contract includes all contractual obligations <i>(Specifications / Scope of Work, Notices of Completion, etc.)</i>	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Mfr, OD, Ppr	S	Yes: Upon Completion	All agreements, service agreements, and contracts are sent to the City Clerk; GC §34090.7
Lead Dept.	CW-007	Agreements & Contracts: ADMINISTRATIVE FILES - NOT funded by a grant <i>(Correspondence, Project Administration, Project Schedules, Certified Payrolls, Invoices, Logs, etc.)</i>	Completion	10 years	Completion + 10 years	Yes: Before Completion		Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090

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(OFR)			Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>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.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	CW-008	Agreements & Contracts: ADMINISTRATIVE FILES - WITH grant funding (Correspondence, Project Administration, Project Schedules, Certified Payrolls, Invoices, Logs, etc.)	Completion	10 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Some grant funding agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, & 570.502(b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-133GC §34090

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(OFR)										
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<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	CW-009	Agreements & Contracts: UNSUCCESSFUL BIDS, UNSUCCESSFUL PROPOSALS or RESPONSES to RFPs (Request for Proposals) and/or RFQs (Request for Qualifications) that don't result in a contract	2 years		2 years			Mag, Ppr		The RFP / RFQ and the successful proposal becomes part of the agreement or contract (City Clerk is OFR); GC §34090
Admin. Services / Finance / Accounting	CW-010	Audits / Audit Reports / CAFR - Comprehensive Annual Financial Reports	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Ppr		Copies; GC §34090.7
	CW-011	Bids: See Agreements & Contracts								
Staffing Dept.	CW-012	Boards and Committees: AUDIO RECORDINGS of Meetings / Audio Tapes	2 years		2 years			Tape (Mag)		City preference; State law only requires for 30 days; GC §54953.5(b)
Staffing Dept.	CW-013	Boards, Commissions, & Committees: Citizens Advisory Bodies Formed by CITY COUNCIL AGENDAS, AGENDA PACKETS.	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years			Mag, Ppr		Brown Act challenges must be filed within 30 or 90 days of action; GC §§34090, 54960.1(c)(1)

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(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>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.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Clerk	CW-014	Boards, Commissions, & Committees: Citizens Advisory Bodies Formed by CITY COUNCIL MINUTES & BYLAWS	Copies - When No Longer Required		Copies - When No Longer Required	Yes	Mag, Mfr, OD, Ppr	S	Yes: After 10 years	Notes taken to facilitate the writing of the minutes can be destroyed after minutes have been adopted; GC §34090 et seq.
Staffing Dept.	CW-015	Boards, Commissions, & Committees: City Council Subcommittees (Composed solely of less than a quorum of the City Council)	2 years		2 years		Mag, Ppr			All recommendations are presented to the City Council; GC §34090 et seq.
	CW-016	Boards, Commissions, & Committees: External Organizations (e.g. County Board of Supervisors)	When No Longer Required		When No Longer Required		Mag, Ppr			Non-records
	CW-017	Brochures: See Reference Manuals								
City Clerk	CW-018	Budgets - Finals	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S/I	Yes: After 5 years	Final must be filed with County Auditor; GC §34090.7, 40802, 53901
Lead Dept.	CW-019	Cash Receipts Detail / Backup / Accounts Receivable Detail / Refund Detail	2 years		2 years		Mag, Ppr			Department preference (not all detail is sent to Finance; GC §34090

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<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>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.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
City Attorney	CW-020	City Attorney Opinions	P		P	Yes	Mag, Mfr, OD, Ppr	S		Department Preference; GC §34090
City Attorney	CW-021	Claims & Litigation	Copies - When No Longer Required (Upon Settlement)		Copies - When No Longer Required (Upon Settlement)	Yes: Before Settlement	Mag, Mfr, OD, Ppr	S/I	Yes: After Settlement	City Attorney is OFR for lawsuits; Risk Management administrates claim; GC §§34090.7, 34090.6
Lead Dept.	CW-022	Committees Internal - Attended by employees: All Records (e.g. Records Management Committee, In-House Task Forces, etc.)	2 years		2 years		Mag, Ppr			GC §34090
Lead (Responding) Dept.	CW-023	Complaints / Concerns from Citizens Computer Tracking Software (Comcate)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			City preference; Statute of Limitations for personal property, fraud, etc. is 3 years; Claims must be filed in 6 months; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090

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<i>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.</i>										
<i>Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead (Responding) Dept.	CW-024	Complaints / Concerns from Citizens (operational)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years				Mag Ppr	City preference; Statute of Limitations for personal property, fraud, etc. is 3 years; Claims must be filed in 6 months; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090
	CW-025	Contracts: See Agreements								
	CW-026	Copies or duplicates of any record	Copies - When No Longer Required		Copies - When No Longer Required				Mag Ppr	GC §34090.7
Dept. that Authors Document or Receives the City's Original Document	CW-027	Correspondence - ROUTINE (e.g. Administrative, Chronological, General Files, Letters, Memorandums, Miscellaneous Reports, Press Releases, Public Records Requests, Reading File, Working Files, etc.)	2 years		2 years				Mag, Ppr	GC §34090

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Litigation, claims, complaints, audits and/or investigations suspend normal retention periods (retention resumes after settlement or completion).											
Dept. that Authors Document or Receives the City's Original Document	CW-028	Correspondence - TRANSITORY / PRELIMINARY DRAFTS, Interagency and Intraagency Memoranda not retained in the ordinary course of business (e.g. calendars, checklists, e-mail or social media posting that does not have a material impact on the conduct of business, instant messaging, inventories, invitations, logs, mailing lists, meeting room registrations, speaker slips, supply inventories, telephone messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages, etc.)	When No Longer Required		When No Longer Required					Mag, Ppr	E-mails or social media postings that have a material impact on business are saved by printing them out and placing them in a file folder, or saving them electronically; If not mentioned here, consult the City Attorney to determine if a record is considered transitory / preliminary drafts. GC §§34090, 6252, 6254(a)
City Clerk	CW-029	Deeds, Easements, Final Orders of Condemnations (All)	Copies - When No Longer Required		Copies - When No Longer Required					Mag, Ppr	Send all originals to the City Clerk; GC §34090.7

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Lead Dept.	CW-030	Drafts & Notes: Drafts that are revised (retain final version)	When No Longer Required		When No Longer Required				Mag, Ppr		As long as the drafts and notes are not retained in the "Regular Course of Business". Consult the City Attorney to determine if a record is considered a draft. GC §§34090, 6252, 6254(a)
Lead Dept.	CW-031	Facility Use Applications / Facility Use Permits	2 years		2 years				Mag, Ppr		GC §34090
Lead Dept.	CW-032	GIS Database / Data / Layers (both City-wide and Specialized)	When No Longer Required		When No Longer Required	Yes		Mag			The Lead Department should print out historical documents (or save source data) prior to replacing the data, if they require the data or output for historical purposes; Department Preference (Preliminary documents); GC §34090 et seq.
Lead Dept.	CW-033	Grants (UNSUCCESSFUL Applications, Correspondence)	2 years		2 years				Mag, Ppr		GC §34090

RECORDS RETENTION SCHEDULE: CITY-WIDE STANDARDS

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Lead Dept.	CW-034	Grants / Reimbursable Claims (SUCCESSFUL Reports, other records required to pass the funding agency's audit, if required) Applications (successful), program rules, regulations & procedures, reports to grant funding agencies, correspondence, audit records, completion records	2 years	After Funding Agency Audit, if Required - Minimum 5 years	After Funding Agency Audit, if required - Minimum 5 years		Mag, Ppr			Meets auditing standards; Grants covered by a Consolidated Action Plan are required for 5 years; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; 7 CFR 3016.42; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, 570.490, & 570.502(a&b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-110 & A-133; GC §34090
Admin. Services / Human Resources	CW-035	Grievances and Informal Complaints (Employees)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Disposition	Mag, Ppr			Send all grievances to Human Resources; All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; GC §§12946, 34090

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City Clerk	CW-036	Insurance Certificates for Agreements and Contracts	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			If a certificate cannot be matched to a contract, send to City Clerk; GC §34090.7
City Attorney	CW-037	Lawsuits, Litigation, Pending Litigation	Copies - When No Longer Required (Upon Settlement)		Copies - When No Longer Required (Upon Settlement)	Yes: Before Settlement	Mag, Mfr, OD, Ppr	S/I	Yes: After Settlement	Risk Management administrates claim; GC §§34090.7, 34090.6
Lead Dept.	CW-038	Leave Slips	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary draft / transitory record; GC §34090, GC §6252
City Clerk	CW-039	Minutes - City Council	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by City Clerk Permanently; GC §34090.7

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Lead Dept.	CW-040	Material Data Safety Sheet (MSDS) / Chemical Use Report Form (or records of the chemical / substance / agent, where & when it was used)	30 years		30 years			Mag, Mfr, OD, Ppr	S	Yes (after inactive)	Previous MSDS may be obtained from a service; MSDS may be destroyed as long as a record of the chemical / substance / agent, where & when it was used is maintained for 30 years; Applies to qualified employers; Claims can be made for 30 years for toxic substance exposures; 8 CCR 3204(d)(1)(B)(2 and 3), GC §34090
City Clerk	CW-041	Municipal Code (these are copies)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Original		Mag, Mfr, OD, Ppr	I	No	Return any whole unused codes to the City Clerk; Originals maintained by City Clerk Permanently; GC §34090
Lead Dept.	CW-042	Newspaper Clippings	When No Longer Required		When No Longer Required			Ppr			Non-records - may be obtained from the newspaper company; GC §34090
Staffing Dept.	CW-043	Notices: Public Hearing Notices and Proofs of Publications	Project Approval + 2 years		Project Approval + 2 years			Mag, Ppr			Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP§337 et seq; GC §34090

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City Clerk	CW-044	Ordinances - City Council	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Originals maintained by City Clerk Permanently; GC §34090
Admin. Services / Human Resources	CW-045	Personnel Files <i>(When an employee transfers to a different department, the file should go to the new department)</i>	Upon Separation, Send to Human Resources		Upon Separation, Send to Human Resources	Before Separation	Mag, Ppr			Ensure records kept in Department files comply with City policy (all originals are sent to Human Resources); GC §34090.7
Lead Dept.	CW-046	Personnel Files (Supervisor's Notes)	1 year (After Incorp. In Evaluation)		1 year (After Incorp. In Evaluation)	Before Annual Performance Evaluation	Mag, Ppr			Notes maintained in a separate folder to be incorporated into performance evaluation, or to document progressive discipline; GC §34090 et seq.
Lead Dept.	CW-047	Personnel Work Schedules	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.	CW-048	Petitions (submitted to Council on any subject. Examples: parking requests, traffic calming requests, etc.). NOT Elections Petitions - for Initiative, Recall or Referendum petitions, see the City Clerk schedule	2 years		2 years		Mag, Ppr			GC §34090

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Lead Dept.	CW-049	Public Records Act Requests	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.	CW-050	Public Relations / Press Releases	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.	CW-051	Purchase Orders, Procurement & Contracting Records (RFPs, Specifications, Contracts, Amendments, Successful Bids, Notice of Award, RFQs, etc.)	2 years	8 years	10 years	Yes: Before Completion	Mag, Ppr			Department preference for grant auditing requirements (errors & omissions does not apply); Statewide guidelines propose completion + 5 years for non-capital improvement contracts & completion + 4 years for transportation and concessionaire agreements. Statute of Limitations is 4 years; CCP §§337. 337.1(a), 337.15, 343; GC §34090
Lead Dept. (Who Ordered the Appraisal)	CW-052	Real Estate Appraisal Reports: Property NOT purchased, Loans not funded, etc.	2 years		2 years		Mag, Ppr			Not accessible to the public; Statewide Guidelines show 2 years; GC §§34090, 6254(h)
Lead Dept. (Who Ordered the Appraisal)	CW-053	Real Estate Appraisal Reports: Purchased Property, Funded Loans	2 years	When No Longer Required - Minimum 3 years	When No Longer Required - Minimum 5 years	Yes: Before Purchase	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Not accessible to the public until purchase has been completed; meets grant auditing requirements; 24 CFR 85.42 & 91.105(h), & 570.502(b); 29 CFR 97.42, GC §34090

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City Clerk	CW-054	Records Destruction Lists / Certificate of Records Destruction	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Ppr		GC §34090.7	
Lead Dept.	CW-055	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by YOUR Department	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years			Mag, Ppr		Statewide guidelines propose superseded + 2 or 5 years; GC §34090	
Lead Dept.	CW-056	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by OTHER Departments	When Superseded		When Superseded			Mag, Ppr		Copies; GC §34090.7	
	CW-057	Reference Materials: Brochures, Manuals, Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by OUTSIDE ORGANIZATIONS (League of California Cities, Chamber of Commerce, etc.)	When No Longer Required		When No Longer Required			Mag, Ppr		Non-Records	
	CW-058	Reference or Working Files: See Correspondence									
Lead Dept.	CW-059	Reports and Studies (Historically significant - e.g., Zoning Studies)	10 years	P	P			Mag, Mfr, OD, Ppr	S/I	Yes: After 10 years	Administratively and Historically significant, therefore retained permanently; GC §34090

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Lead Dept.	CW-060	Reports and Studies (other than Historically significant reports - e.g. Annual Reports)	10 years		10 years			Mag, Ppr		Information is outdated after 10 years; statewide guidelines propose 2 years; If historically significant, retain permanently; GC §34090	
City Clerk	CW-061	Resolutions - City Council	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)		Mag, Mfr, OD, Ppr	S	No	Originals maintained by City Clerk Permanently; GC §34090.7
Lead Dept.	CW-062	Vehicle Safety Checks / Daily Vehicle Inspections / Daily Equipment Checks	2 years		2 years			Ppr			GC §34090
Lead Dept.	CW-063	Safety: OSHA Inspections & Citations, Log 200 and Log 300, 301, 301A	5 years		5 years			Ppr			Calif. Labor Division is required to keep their records 7 years; OSHA requires 5 years; State law requires 2 years; 8 CCR §3203(b)(1), GC §34090.7; LC §6429c
Lead Dept.	CW-064	Speaker Cards (submitted at public meetings)	2 years		2 years			Mag, Ppr			<u>Department preference:</u> <u>Transitory records not retained in the ordinary course of business (used to accurately produce minutes);</u> GC §§34090 et seq., 6254(a)

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Lead Dept.	CW-065	Special Event Permits	Expiration + 2 years		Expiration + 2 years	Yes: During Class or Program	Mag, Ppr			GC §34090
Lead Dept.	CW-066	Special Projects / Subject Files / Issue Files	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090 et seq.
Lead Dept.	CW-067	Subpoenas, Pitchess Motions, etc.	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.	CW-068	Surveys / Questionnaires (that the City issues). If a summary of the data is compiled, the survey forms are considered a draft or transitory record, and can be destroyed as drafts (When No Longer Required)	2 years		2 years		Mag, Ppr			GC §34090
Lead Dept.	CW-074	<u>Synopsis of Meetings / Action Agendas (Boards, Committees, Commissions, City Council)</u>	<u>When No Longer Required</u>		<u>When No Longer Required</u>	-	Mag, Ppr			<u>Preliminary drafts: GC §34090, GC §6252</u>
	CW-069	Tapes: See Boards & Commissions								

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Admin. Services / Finance / Payroll	CW-070	Time Sheets / Time Cards / Overtime Sheets / Overtime Cards	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Mfr, OD, Ppr	S	No	Originals maintained by Payroll; GC §34090.7
Lead Dept.	CW-071	Training - ALL <u>COURSE</u> RECORDS (Attendance Rosters, Outlines and Materials; includes Ethics & Safety training)	2 years	5 years	7 years			Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department preference; <u>Ethics Training is 5 years</u> ; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 1627.3(b)(ii), LC §6429(c); GC §§12946, 34090, <u>53235.2(b)</u>

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Lead Dept.	CW-072	Volunteer / Unpaid Intern Applications & Agreements - Successful	Inactive / Separation + 3 years		Inactive / Separation + 3 years				Ppr	Department preference (Courts treat volunteers as employees); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; 29 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC §§12946, 34090
Lead Dept.	CW-073	Volunteer / Unpaid Intern Applications & Agreements - Unsuccessful or Pending Applicants	3 years		3 years				Ppr	Department preference (Courts treat volunteers as employees); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; 29 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC §§12946, 34090

RECORDS RETENTION SCHEDULE: INFORMATION TECHNOLOGY

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Information Technology	IT-001	Backup Tapes - TAPE LIBRARY	When No Longer Required		When No Longer Required	Yes	Mag.			Used for Disaster Recovery Purposes Only; Considered a copy and can be destroyed when no longer required; tapes are in autochangers and are overwritten; store off-site in a commercial facility for disaster recovery purposes; GC §34090 et seq.
Information Technology	IT-003	Cable TV - Complaints regarding Cable Services	2 years		2 years		Mag			GC §34090 et seq.
Information Technology	IT-004	Cable TV - Video Recordings - Public Service Announcements, Special Events, Non-City Business, Community Programming.	When No Longer Required		When No Longer Required		Mag			Non-records; GC §34090 et seq.
Information Technology	IT-006	Cable TV - Video Recordings / Tapes of Board and Commission meetings - other than Planning Commission or Council	5 years		5 years		Tape (Mag)			Video tapes are required for only 90 days; GC §34090.7
Information Technology	IT-005	Cable TV - Video Recordings / Tapes of meetings (Council and Planning Commission only)	5 years		5 years		Tape (Mag), OD			Department preference; Video tapes are required for only 90 days; GC §34090.7
Information Technology	IT-002	Inventory, Information Systems	When No Longer Required		When No Longer Required	Yes	Mag.			Preliminary documents not retained in the ordinary course of business; GC §34090 et seq.
Information Technology	IT-007	Network Configuration Maps & Plans	When No Longer Required		When No Longer Required	Yes	Mag.			Preliminary documents not retained in the ordinary course of business; GC §34090 et seq.

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Information Technology	IT-008	Video Recordings - ALL (Employee and Public Areas)	1 year		1 year			Mag		1 year is required when video recording regular ongoing operations of the City; GC §34090.6(a)