

**CITY OF DANA POINT  
AGENDA REPORT**

Reviewed By:	
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CM	___
CA	___

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**DATE: NOVEMBER 9, 2005**

**TO: CITY MANAGER/CITY COUNCIL**

**FROM: ELIZABETH EHRING, CITY CLERK**

**SUBJECT: DISPOSITION OF NONESSENTIAL CITY RECORDS**

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**RECOMMENDED ACTION:**

That the City Council approves the 2005 disposition of nonessential City records in accordance with California State law and the City's approved Records Retention Schedule and adopt a Resolution entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT,  
CALIFORNIA, AUTHORIZING THE DISPOSITION OF CERTAIN INACTIVE  
CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE  
GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

**ISSUES:**

Authorized records retention schedules must be adhered to consistently in order to comply with all legal requirements of an organization's records management program.

**BACKGROUND:**

As an integral part of the City's formal Records Management Program, the original Records Retention Schedule was prepared by a professional records retention consulting firm and approved by the City Council in 1992. The most recent revision to the City's Records Retention Schedule was approved by the City Council on September 28, 2005.

In accordance with the authorized Records Retention Schedule and with Section 34090 of the California Government Code, there are certain inactive City records designated as nonessential in conducting City business on a long-term basis. It is to the City's advantage to dispose of those records that are no longer of any administrative, legal, fiscal or archival value. Savings in space, retrieval time, and equipment costs are achieved.

This request includes nonessential records eligible for disposition in 2005. The City Clerk is responsible for implementing the disposition of nonessential City records.

**DISCUSSION:**

Each department head has approved the disposition of those records originated by his or her department and identified on the Records Retention Schedule as eligible for disposition. The City Clerk and City Attorney have reviewed the attached folder destruction reports. These approvals are shown on the forms given as Supporting Document B. Attached to each of these forms is a corresponding computer report listing the department's records eligible for disposition as of December 31, 2005.

**NOTIFICATION/FOLLOWUP:**

The Management Analyst will dispose of the nonessential records prior to January 31, 2006. Each file will be reviewed carefully again in addition to the intensive earlier reviews. Confidential records must be shredded. Other records will be disassembled and recycled.

**FISCAL IMPACT:**

The fiscal impact incurred is that of staff time to conduct the approved procedure.

**ALTERNATIVE ACTIONS:**

Retain nonessential City records indefinitely.

**ACTION DOCUMENT:**

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A. Resolution ..... 3

**SUPPORTING DOCUMENT:**

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B. Forms authorizing disposition of 2005 Nonessential City Records and attached list of records (hard copies provided) ..... 6

**ACTION DOCUMENT A****RESOLUTION NO. 05-11-09-XX****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA, AUTHORIZING THE DISPOSITION OF CERTAIN INACTIVE CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA**

WHEREAS, the keeping of numerous records is not necessary after a certain period of time for the effective and efficient operation of the government of the City of Dana Point; and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required may be disposed of;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dana Point as follows:

SECTION 1. The records of the City of Dana Point as set forth in "Request for Authority to Dispose of Nonessential Records" form which are incorporated herein by this reference as Supporting Document B, and are authorized by the Records Retention Schedule, are hereby authorized to be disposed of as provided by Section 34090 of the Government Code of the State of California and in accordance with the provisions of said schedule upon the consent in writing of the department head, the City Attorney and City Council of the City of Dana Point.

SECTION 2. The provisions of Section 1 above do not authorize the destruction of:

- (a) Records affecting the title of real property or liens thereon
- (b) Court Records
- (c) Records required to be kept by statute
- (d) Records less than two years old
- (e) The Minutes, Ordinances, or Resolutions of the City Council of the City of Dana Point or of any City Board, Committee, or Commission.

SECTION 3. Duplicates of records which are no longer required are hereby authorized to be disposed of.

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SECTION 4. The disposition of any Confidential record as provided for herein shall be by burning, shredding, or other effective method of disposition. Disposition of all records shall be verified by the Management Analyst.

SECTION 5. The term "records" as used herein shall include records, documents, instruments, books, or papers.

PASSED, APPROVED, AND ADOPTED this 9<sup>th</sup> day of November, 2005.

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WAYNE RAYFIELD  
MAYOR

ATTEST:

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ELIZABETH EHRING  
CITY CLERK

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STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS  
CITY OF DANA POINT )

I, ELIZABETH EHRING, City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF Resolution No. 05-11-09-\_\_ adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 9<sup>th</sup> day of November, 2005, by the following vote:

AYES:

NOES:

ABSENT:

(SEAL)

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ELIZABETH EHRING  
CITY CLERK

**SUPPORTING DOCUMENT B**

Forms authorizing disposition of 2005 Nonessential City Records and attached list of records (hard copies provided).

Please note that for this packet hard copies are assembled in alphabetical order by department and division and are not paginated in numerical sequence.