

STAFF REPORT
COUNCIL MEETING DATE
September 10, 2012

ITEM FOR COUNCIL CONSIDERATION:

Destruction of Certain Obsolete Records in the City Clerk Department

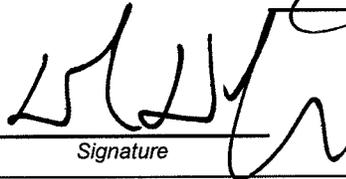
Report prepared by:

Fidela Garcia, City Clerk

Department:

Reviewed by:

City Manager


Signature


Signature

Admin. Services Dir


Signature

STAFF RECOMMENDATION:

Action Item X ; Non-Action Item ____

Adopt Resolution No. 5407, as read by title only, authorizing the destruction of certain obsolete records in the City Clerk Department as specified in Exhibit A.

I. BACKGROUND:

In a continuing effort to purge files that are no longer needed and in accordance with the City's policy and procedure for the retention and disposition of records and retention schedule, the City Clerk Department wishes to destroy certain obsolete records from the period 1967 through 2010.

II. POLICY:

The records proposed for destruction, exceed retention levels required by law and by City Council Resolution No. 4873 adopted April 12, 2004, concerning Rules and Regulations Governing the Policy and Procedure for the Retention and Disposition of Records for the City.

III. FINANCIAL CONSIDERATIONS:

Retention of records beyond the historical and/or legal retention requirements will result in additional storage costs.

IV. LEGAL ISSUES:

The City Attorney has reviewed and approved the list of documents to be destroyed contained in Exhibit A, attached to the resolution.

V. ALTERNATIVES:

Continue to retain the records indefinitely.

VI. PRINCIPAL PARTIES EXPECTED AT MEETING:

None

VII. ATTACHMENTS:

- 1. Resolution No. 5407
Exhibit A**

RESOLUTION NO. 5407

**A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
AUTHORIZING DESTRUCTION OF CERTAIN RECORDS
IN THE CITY CLERK DEPARTMENT**

WHEREAS, California Government Code Section 34090 permits the destruction of certain records subject to certain conditions; and

WHEREAS, the City Clerk Department has recommended that certain records in their department be destroyed and the City Manager has approved said recommendation: and

WHEREAS, said records have now been retained for periods of time that meet or exceed levels required by law and by City Council Resolution 4873 adopted April 12, 2004, concerning Rules and Regulations Governing the Policy and Procedure for the Retention and Disposition of Records for the City; and

WHEREAS, the City Attorney has issued his consent to said recommendation and approval; and

WHEREAS, a list of records to be destroyed is attached hereto as Exhibit "A" consisting of four pages.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES that those records identified in Exhibit A attached hereto are approved for destruction as recommended.

PASSED, APPROVED AND ADOPTED this 10th day of September, 2012, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held this 10th day of September 2012.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

Exhibit A to Resolution 5407

**CITY OF CARPINTERIA
REQUEST TO DESTROY OBSOLETE RECORDS**

The City Manager/City Clerk Department requests authority to destroy obsolete records as detailed below.

Note: Unless otherwise noted all records are located at the City's Storage Facility.

Title or subject matter of records	No. of Records	Originals/copies	Years covered By records
HDL Companies Quarterly Sales Tax Files	2 Banker Boxes	Originals	1998 to 2004
Community Service Grant Files containing various correspondence, invoices, emails, funding reports, and grant applications and misc. documents	3 files	Copies	1995 to 2002
City Council Meeting Audio Tapes		Originals	12/9/02 to 8/9/10
Planning Commission VHS Tapes and Audio Tapes		Originals Originals	1/7/02 to 2/5/07 5/3/04 to 9/6/05
Architectural Review Board Meeting Audio Tapes		Originals	7/29/04 to 3/29/07
Mobil Home Rent Stabilization Board Meeting VHS Tapes		Originals	2/7/02 to 1/31/03
430 Planning (Air Pollution General #3) 1 file containing Staff Reports, correspondence, & memos related to general planning	1 file	Originals/copies	2/15/79 to 12/21/89
430 Planning General #5 Staff Reports, memos, correspondence related to matters of Community Development Department fees, scheduling appeals for hearing, density bonuses, parking, project status reports, Architectural Review Board policies	1 file	Originals/copies	3/1980 to 12/1983
420 SBCAG Land Use Memos, correspondence, agendas		Originals/copies	1/1988 to 7/1991
420 ABC Licenses ABC license applications, related correspondence	1 file	Originals/copies	11/1969 to 9/1989
450 Local Transportation Correspondence, Staff Reports, memos	1 file	Originals/Copies	3/1974 to 4/1988

450 Easy Lift Annual Report, correspondence	1file	Originals/copies	8/1990 to 8/1992
450 CART-Section 18 #2 Staff Reports, correspondence, annual fiscal reports on transit operations	1 file	Originals/copies	7/83 to 11/88
320 Substandard Structures (Litigation) Staff Reports, correspondence, memos related to various substandard structures	1 file	Original/copies	8/1968 to 4/1982
320 Alfonso Sanchez (Litigation) Subpeona Duces Tecum	1file	Copy of Subpoena	6/2/89
320 Barrow Walter Correspondence related to tree removal at 4280 Carp Avenue	1 file	Originals/copies	12/1991
320 Bailard Interchange (Litigation) Correspondence and misc docs in connection with Lawsuite filed by State against City regarding State Highway Interchange and City Open Space Zoning People v. City, Case No. 102489	1 file	Originals/copies	1/1973 to 9/1976
320 Brown Act General Correspondence and Staff Reports	2 files	Originals/copies	2/1967 to 12/1990
320 R.G. Harris v. City of Carpinteria 88- 258-DP Correspondence, transcripts of appeal hearing before City Council, administrative record	1 file	Copies	2/11/1991 to 10/1991
320 Monte Vista Motel, 4667 Carpinteria Ave (abatement) Related Correspondence, memos, Staff Reports	1 files	Originals/copies	12/1974 to 12/1980
320 Mario Roman, et. al. Correspondence	1 file	Originals	3/1987
320 Tillie Ann Putnam (Litigation regarding dog leash violation) Correspondence	1 file	Originals	1/1987 to 9/1987
110 Ad Hoc Economic Committee	1 file	Originals	1996
110 Java Junction Food Concessions- Beach Misc documents, correspondence	1 file	Originals	4/1996

<p>320 Villas (Ken Jones Company) The Villas of Carpinteria Owners Association v. City of Carpinteria, Second Appellate District Court Case No. B111511 SBSC Case No. 213829 File contains various legal documents related to lawsuit</p>	<p>1 file</p>	<p>Copies</p>	<p>11/1996 to 2/1998</p>
<p>100 Confidential Memos from Special Legal Counsel (Margaret Sohagi) Matters related to Chevron land development, conflict of interest, claims, administrative records, noticing procedures for adjourned meetings and closed sessions</p>	<p>1 file</p>	<p>Originals/copies</p>	<p>10/1991 to 11/1994</p>
<p>Train Station Various documents relating to train depot development, rail platform project, downtown revitalization parking lot #3</p>	<p>1 file</p>	<p>Originals/copies</p>	<p>1987 to 1999</p>

CITY OF CARPINTERIA
REQUEST TO DESTROY OBSOLETE RECORDS

I hereby certify that:

- The record(s) are under the management or control of the Department head.
- To the best of his/her knowledge, the descriptive titles, information, and classifications contained in the request form are true and accurate.
- The minimum retention time periods required by City Resolution No. 4873 Retention Schedule) have been satisfied for all records included in the request form.
- Retention of the record is no longer required for operation of the department, or to satisfy a city council policy adopted by resolution, or a city Council request, or by the city for administrative, historical, research, fiscal, legal, or cultural purposes.
- The destruction or other disposition of the record will not violate state law, these Rules, or other applicable law.
- Destruction of the record(s) is hereby recommended.

Date: _____

Job Title: _____

Signature of Department Head or
authorized Designee, requesting destruction
of records

Approved for Destruction:

City Attorney

Date: _____

Approved for destruction at City Council meeting held September 10, 2012.