

 <p>Records Management</p>	<p align="center">Administrative Policy Manual</p> <p align="center">Chapter 5 – Information Management</p> <p align="center">Article 5</p> <hr/> <p>Attachments:</p> <p>5.5A) <i>Records Retention and Destruction Schedule</i></p> <p>5.5B) <i>Request for Destruction of Records Form</i> (including <i>Certificate of Destruction</i>)</p>
<p>Effective Date: 3/31/10</p>	<p>Responsible Department: OCM</p>
<p>Prior Version, Related Policies & Notes:</p> <p><i>Prior Versions:</i> June 1991</p> <p><i>Related Policies:</i></p> <p>The California Public Records Act, California Government Code § 6250-6270 California Government Code Section 34090 - 34095 California Government Code Sections 12236 and 12168.7</p> <p><i>Notes:</i></p> <p>Former Chapter 5, Article 5, Section 7, Subdivision 2, <i>Accessing Records</i>, was updated and replaced by Administrative Policy Chapter 5, Article 8, <i>California Public Records Act Procedures</i>.</p>	

Section 1. Purpose

The purpose of this policy is to establish a citywide records management program to apply efficient and economical management methods for the creation, utilization, maintenance, retention, preservation, and disposal of all records prepared in the course of ordinary business for the purpose of internal operations of the City. This policy provides procedures for retention of public records pursuant to the *Records Retention and Destruction Schedule* (Attachment 5.5A) and procedures for the disposal of expired records pursuant to the *Records Destruction Protocol* (Section 2, Subdivision 3-B).

Other departments (e.g. Public Safety) may maintain separate internal policies or procedures. Those policies and procedures do not supersede this policy, but provide specific direction with respect to documents generated by those departments.

Section 2. Policy

Subd. 1. Definitions

- A. Active Records.** Records used in the current operations of a division or department and referred to on a regular basis.
- B. Archival or Historical Records.** Records with enduring value because they reflect significant historical events, document the history and development of the City or a department's organization, development, and growth structure, or provide valuable research data.
- C. Public Records.** Any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the City regardless of physical form or characteristics.

- D. **Records.** All papers, maps, exhibits, magnetic or paper tapes, photographic film and prints, disks, CDs, DVDs, e-mail, or other electronic or digital media, blueprints and any other documents produced, received, owned or used by the City, regardless of physical form or characteristics.
- E. **Writing.** Any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.
- F. **Inactive Records.** Records that are no longer regularly accessed but are required to be retained for background purposes, occasional access, or pursuant to legal retention requirements.
- G. **Non Records.** Material not usually included within the definition of records such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, library or museum material intended solely for reference or exhibition, rough notes, calculations, and drafts assembled or created and used in the preparation or analysis of other documents.
- H. **Permanent Records.** Documents that are required by law or statute to be retained permanently or indefinitely (generally assumed to be 500 years). Examples are City Council minutes, resolutions and ordinances.
- I. **Vital Records.** Documents that are essential to conduct City operations in the event of a disaster, records not available elsewhere, or records that have legal, historical, operational and/or financial value. These are records that if destroyed or lost, would seriously impact City operations.
- J. **Office of Record.** The department, division or work area with primary responsibility for creating or retaining a record or record series.
- K. **Records Coordinators.** Staff designated by the department director to coordinate departmental records management activities.
- L. **Records Retention and Destruction Schedule.** The adopted schedule of record types or series, associated retention periods and any special or legal requirements for retention or destruction. The *Records Retention and Destruction Schedule* (Attachment 5.5A) is the City's legal authority to receive, create, retain, and dispose of official public records when they no longer have administrative, fiscal, or legal value.

- M. **Records Inventory.** Analysis and identification of all records or files created, maintained and disposed of by each department.
- N. **Retention Period.** The length of time a record must be retained to fulfill its administrative, fiscal and/or legal function.

Subd. 2. Overview of Records Management Program

A. Role of City Clerk's Office

The Office of the City Clerk is responsible for the development, implementation, and management of the records management program for the City of Sunnyvale.

The City Clerk or designee:

- Coordinates the development of Attachment 5.5A, the *Records Retention and Destruction Schedule (Retention Schedule)*.
- Oversees the activities of central on-site storage of inactive records for each department.
- Coordinates the transfer of inactive, retainable records to off-site storage facilities.
- Coordinates the retrieval of inactive records as requested by departments from off-site storage facilities.
- Notifies departments annually of retention and destruction requirements in accordance with the *Retention Schedule*.
- Oversees the orderly disposal of expired records in accordance with City policy and the *Retention Schedule*.
- Maintains reports on retrieval, storage, transfer and disposition of records.
- Coordinates a review and update of the *Retention Schedule* at least once every five years.
- Provides assistance and facilitates training in records management for all departments in order to establish and maintain an orderly, organized and effective records program.
- Retains the record of completed *Request for Destruction of Records* form, (Attachment 5.5B) including the *Certificate of Destruction* section, with corresponding indexes or lists of records approved for destruction or disposal.

B. Department Responsibilities

Department directors are responsible for the establishment and maintenance of departmental active and inactive files, inventory analysis and control of departmental records.

Department Directors:

- Designate Departmental Records Coordinator(s) to monitor and coordinate records management activities with the City Clerk or designee.
- Review and authorize *Request for Destruction of Records* forms

with corresponding indexes or lists of records proposed for disposal.

Departmental Records Coordinators:

- Monitor departmental records inventory and coordinate records management activities with the city clerk or designee.
- Notify the city clerk or designee of records requiring transfer to inactive storage areas or off-site storage facilities.
- Prepare records and transfer documents for storage following procedures outlined in the department's procedure manual.
- Monitor departmental inventory of records in accordance with the *Records Retention and Destruction Schedule* (Attachment 5.5A).
- Process records which have reached the end of their retention period for final disposition pursuant to the *Records Destruction Protocol* (Section 2, Subdivision 3-B).
- Prepare *Request for Destruction of Records* form (Attachment 5.5B) and index or list of records to be processed for disposal, for review and authorization by department director.
- Coordinate records retention and destruction activities with the city clerk or designee and the Office of the City Attorney.
- Assist with the development of new or amended retention and destruction requirements in accordance with federal, state or municipal law and in accordance with operational retention criteria.

Subd. 3. Retention and Destruction of Records

A. General Guidelines

City records shall be retained for the period required as specified by Attachment 5.5A, *Records Retention and Destruction Schedule (Retention Schedule)*.

Records retained shall be stored and maintained in the most efficient, cost-effective manner and format available, consistent with anticipated future use needs and legal requirements.

Inactive records not required for current departmental operations may be transferred to an inactive storage area or approved off-site storage facility if required to be retained pursuant to the City's adopted *Retention Schedule*.

Consistent with the City's adopted *Retention Schedule*, records shall be destroyed or disposed of in a timely manner when they no longer have administrative, fiscal, or legal value and have reached the end of their required retention period.

B. Records Destruction Protocol

Pursuant to City Resolution Number 425-10, as adopted by the City Council on March 23, 2010, the designated Records Coordinator in each department or division shall monitor the department's records

inventory for records which have reached the end of their required retention period and prepare an index or list of records to be processed for disposal.

The Records Coordinator shall prepare Attachment 5.5B, *Request for Destruction of Records* form (*Request* form) for the department director or manager to review annually or on an as-needed basis. The *Request* form shall include the corresponding index or list of the set of records proposed for destruction. The index should provide brief descriptors of each set of records and identify the record series and applicable date information.

After review and approval by the department director or manager, the *Request* form and corresponding indexes shall be forwarded to the city clerk.

The city clerk will review the list for compliance with the *Records Retention and Destruction Schedule* (Attachment 5.5A) and the *Records Destruction Protocol* (Section 2, Subdivision 3-B). After review, the city clerk will forward the original to the city attorney.

The city attorney or designee will review the *Request* form. If the corresponding index does not sufficiently describe the records, the city attorney may request a review of the actual documents. After the city attorney or designee has reviewed the records and approved the *Request* form, the list is returned to the city clerk for preparation of the *Certificate of Destruction* section of the *Request* form.

If the records are held at a secured storage facility, the city clerk may coordinate with individual departments to retrieve the records for review and destruction according to this protocol. Alternatively, the city clerk may coordinate with individual departments to authorize and instruct the storage facility to destroy the records and recycle the waste.

The *Certificate of Destruction* section of the *Request* form will be prepared for all records destroyed. The completed *Request* form, including *Certificate of Destruction* section will be attached to the corresponding index of the records destroyed.

The original *Request* form including *Certificate of Destruction* section and index will be maintained by the city clerk and a copy will be provided to and retained by the department which generated the request. This will provide a record of what records were destroyed, when they were destroyed, and by what legal authority they were destroyed.

City Manager's signature: _____

Date: _____

3-31-10

RECORDS RETENTION & DESTRUCTION SCHEDULE LEGEND AND CITATIONS

The following is a key to the acronyms used to define retention periods:

LEGEND of RETENTION CODES			
AC	= Active	E	= Election
AD	= Adoption	M	= Maturity
AU	= Audit	P	= Permanent or Indefinite
CL	= Closed/Completion	L	= Life
CU	= Current Year or Current Use	S	= Supersede
DOB	= Date of Birth	T	= Termination

Description of retention codes:

AU requires a record to be retained for a period beyond the most recent audit involving the materials noted. For example: AU + 5 requires the record to be retained until the audit pertaining to that record is complete, plus five years.

CU requires a record to be retained for a period beyond its current use or the current calendar year. For example: CU + 2 requires the record to be retained for the current year, plus two years. A record dated June 23, 2009 would be retained for the remainder of 2009, and through 2010 and 2011.

CL requires a record to be retained for a period beyond its date of completion or closure. For example: CL + 3 requires the record to be retained for three years beyond the date of completion. Records identified as "Logs" with a retention of "CL" indicate the date the log ends, such as the end of the fiscal or calendar year.

P requires a record to be retained permanently (generally assumed to be 500 years) or indefinitely (until the record medium deteriorates beyond use).

S requires a record to be retained until that record is superseded by an updated version. For example: S + 2 requires the record to be retained for two years beyond the date the document was superseded by an updated version.

T requires a record to be retained for a period beyond the term or termination date. For example: T + 8 requires the record to be retained for eight years beyond the end of a term.

The following is a key to the acronyms used to reference legal citations or other authorities:

CITATIONS	
B&P	= Business and Professions Code
CA	= California Administrative Code
CCP	= Code of Civil Procedure
CCR	= Code of California Regulations
CEQA	= California Environmental Quality Act
CFR	= Code of Federal Regulations
EC	= Election Code
FMLA	= Family & Medical Leave Act of 1993
GC	= Government Code
H&S	= Health & Safety code
HUD	= Housing and Urban Development Code
SMC	= Sunnyvale Municipal Code
OSHA	= Occupational Safety & Health Act
PC	= Penal Code
POST	= Police Officers Standards Training
UFC	= Uniform Fire Code
USC	= United States Code
WIC	= Welfare & Institutions Code

Record Series	Descriptor and Examples	Series #	Owner / Point of Contact	Pertains to	Record Class: Category	Record Class: Sub-Category	Citation	Retention	Disposition Instructions	Last Updated
Speaker Requests	Community and business requests for public appearances, speakers	PS146	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	CU + 2	Destroy or Delete after retention period	3/23/2010
Tests, Densitometer Results (Photo Lab)	Daily tests of development chemicals/processes for quality control.	PS147	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	T + 2	Destroy or Delete after retention period	3/23/2010
Training: Bulletins		PS148	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	10 Years	Archive per Records Management Policy	12/18/2018
Training: Event Files	Correspondence, brochures, promotional materials, info on speakers, guests, supporting documents	PS149	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	CU + 2	Destroy or Delete after retention period	3/23/2010
Training: Lesson Plans, Firing Range	Scope, content, time period of courses	PS150	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	CL + 15	Recycle or Delete after retention period	3/23/2010
Training: Personnel (by name)	Paperwork documenting officers' internal and external training	PS151	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090; POST	T + 7	Destroy or Delete after retention period	12/18/2018
Training: Schedules, Firing Range	Daily, weekly, monthly schedules of training events at range	PS152	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	CU + 2	Destroy or Delete after retention period	3/23/2010
Volunteer Card Files	Volunteers' identification, contact information	PS153	DPS	DPS	Public Safety	Law Enforcement Services	GC 34090	T + 2	Destroy or Delete after retention period	3/23/2010
Crimes: Misdemeanor / Infractions	With arrests, identifiable property or missing persons (See: Note 1)	PS154	DPS	DPS	Public Safety	Law Enforcement Investigations	GC 34090	See: Note 1	Destroy or Delete after retention period	3/23/2010
Public Safety Record NOTE*****	Note 1: The destruction of felony, misdemeanor and infraction Crime/Supplemental Reports is permitted providing: 1. They do not relate to an unadjudicated arrest except for H&S 11357 or H&S 11360 violations; 2. They do not relate to unserved warrants; 3. They do not involve identifiable items which have not been recovered; 4. They do not relate to PC 290, PC 457.1, or H&S 11590 registrants; 5. They do not relate to violations listed in PC Sections 799 and 800; 6. The cases are not presently involved in either a civil or criminal litigation.	PS155	DPS	DPS	Public Safety	n/a	n/a	n/a	n/a	3/23/2010
Inventory, Equipment	Equipment records covering purchase orders, inventory, replacement schedules, warranties, repairs, general file for each park	PW003	LCS	LCS	Public Works	Parks	GC 34090	CU + 10	Recycle or Delete after retention period	12/18/2018
Landscape Documentation	Drawings, contracts, specifications, photos, reports	PW004	LCS, DPW, ESD	LCS, DPW, ESD	Public Works	Parks	GC 34090	CU + 2	Recycle or Delete after retention period	12/18/2018
Maintenance and Operations Documents	Examples: Includes work orders, inspections, repairs, cleaning, reports, complaints, signals, striping, reports for grounds, facilities, swim pools, custodial services, vandalism, hazards, drainage plan, park lighting, golf hazard log book	PW005	LCS, DPW, FIN, ESD	LCS, DPW, FIN, OCM-Facilities, ESD	Public Works	Parks	GC 34090	CU + 2	Recycle or Delete after retention period	12/18/2018
Irrigation Maps	Irrigation, plot plans	PW006	LCS, DPW, ESD	LCS, DPW-Field Services, ESD	Public Works	Parks	GC 34090	P	Archive per Records Management Policy	12/18/2018
Plans, Proposed	Future plans, new sites, expansions, site studies	PW009	LCS, DPW, ESD	LCS, DPW, ESD	Public Works	Parks	GC 34090	CU + 2	Recycle or Delete after retention period	12/18/2018
Policies and Procedures	Includes rules and regulations	PW010	LCS	LCS	Public Works	Parks	GC 34090	S + 2	Destroy or Delete after retention period	12/18/2018
Real Property Acquisitions	Land acquisitions, correspondence, improvements, statutory records	PW011	LCS	DPW-Real Estate	Public Works	Parks	GC 34090(a); GC 6254	CL + 10	Recycle or Delete after retention period	12/18/2018
Reports: Others		PW014	LCS	LCS	Public Works	Parks	GC 34090	CL + 2	Recycle or Delete after retention period	12/18/2018
Resolutions, Board		PW016	LCS	LCS	Public Works	Parks	GC 34090(e)	P	Archive per Records Management Policy	12/18/2018
Schedules, Class & Events	Documents pertaining to recreation activities/classes/events registration. Examples: Records covering instructor agreements, registration, attendance, evaluations, program surveys, products for audits, insurance, rosters, tournaments, fee schedules, fee waivers, enrollment, liability releases, flyers, activity guides, membership card applications, lap swim cards	PW017	LCS	LCS	Administration	Community Services	GC 34090	CU + 2	Recycle or Delete after retention period	12/18/2018
Collections/Landfill Information	Daily records, usage	PW018	ESD	ESD	Environmental Services	Sanitation / Solid Waste / Wastewater	GC 34090	CU + 2	Recycle or Delete after retention period	12/18/2018