



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Authorize the City Manager or His Designee to Destroy Recreation Records Damaged by Sewage Before Completion of the Full Record Retention Period

BACKGROUND

On December 18, 2019, Council adopted Resolution No. 920-18 updating the Citywide Records Retention and Destruction Program Policy and Schedule (Records Retention Schedule) in accordance with Government Code section 34090, et seq. and numerous other federal, state and local codes (RTC No. 18-1115). This Policy provides the City with the legal authority to dispose of records that have reached the end of their required retention period. The Policy does not provide legal authority to dispose of records prior to reaching the end of their required retention period in the event such records become damaged and unrecoverable.

EXISTING POLICY

Administrative Policy Manual Chapter 5 - Information Management Article 5

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

In July 2019, the basement of the Recreation Center experienced a sewage backup that partially flooded a records storage room. Approximately 45 boxes of inactive records were in the records storage room at the time of the flood. The sewage backup and resulting flood irreparably damaged and contaminated 11 boxes of inactive records. The non-contaminated boxes have been relocated or destroyed per the Records Retention and Destruction Program Policy and Schedule.

Attachment 1 contains descriptions of the records stored in the 11 contaminated boxes. The various types of records stored in these boxes are normally retained for the current year, plus two archive years. Staff believes that some of the records stored in the contaminated boxes do not meet that retention period, and is therefore requesting City Council authorization to destroy these records prior to reaching the end of their required retention period due to the health and safety concerns raised by storing sewage contaminated records.

Staff will explore a future update to the Records Retention and Destruction Program Policy and Schedule that addresses sewage contamination and similar scenarios in the future.

FISCAL IMPACT

There is no fiscal impact as the contaminated records would otherwise be eligible for destruction within the next two years.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

RECOMMENDATION

Authorize the City Manager or His Designee to Destroy Recreation Records Damaged by Sewage Before Completion of the Full Retention Period

Prepared by: David Carnahan, City Clerk

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Library and Community Services Department Request for Destruction 2019-03
2. Administrative Policy Manual Chapter 5 - Article 5 Records Management (Excerpt of Applicable Section)