



Administrative Policy

Title: Records Destruction Policy					
Administered By: Management Services (Office of the City Clerk)					
Policy No.	Issue Date	Revision Date	Dept. Head Approved	City Manager Approved	Mayor Approved
072-00.005	XX-XX-XX	XX-XX-XX [OR INSERT N/A]			

ARTICLE I - PURPOSE

Section 1.1 General Purpose

The purpose of this policy is to provide guidelines for City of Corona officials and employees regarding the retention and destruction of obsolete and unnecessary City records, including the identification, maintenance, safeguarding and destruction of records in the normal course of business, to ensure prompt and accurate retrieval of records, and to ensure compliance with legal and regulatory requirements and professional standards.

This policy is established by the City in accordance with all relevant federal, state, and local laws, and contractual requirements. In particular, this policy is established in accordance with the State Record Retention laws (Government Code §34090, *et seq.*) as well as the California Public Records Act (Government Code §7920, *et seq.*). Additionally, where relevant to the needs of the City’s management of records, the City has incorporated provisions from professional standards and guidelines.

Section 1.2 Superseded Policies

This policy supersedes and replaces the following policies, which are hereby eliminated in their entirety and are of no further force and effect:

Policy 03100.004 (Records Retention and Destruction Procedures) administered by the Utilities Department and last updated on March 18, 2013; and

City of Corona Police Department Records Retention and Destruction Policy last updated on April 15, 2015.

ARTICLE II - DEFINITIONS AND SCOPE

Section 2.1 Definitions

For purposes of this policy, the following definitions shall apply:

- A. Active Record. The term “active record” shall mean a City record that is still actively used or referenced on a regular basis.
- B. City Record. The term “City record” shall mean any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any the City regardless of physical form or characteristics.
- C. Department Director. The term “Department Director” shall mean the director of each department within the City or his or her designee.
- D. Inactive Record. The term “inactive record” shall mean a City record that is no longer used or referenced on a regular basis.
- E. Non-Record. The term “non-record” shall mean a writing that does not qualify as a City record or that the City is not otherwise obligated by law to retain, including, without limitation, duplicates, copies, rough drafts, reference materials, vendor catalogs, external seminar and conference publications, transient/transitory writings, such as, working papers, appointment logs, notes, calculations or preliminary drafts, or interagency or intra- agency memoranda, that are not retained by the City in the ordinary course of business.
- F. Writing. The term “writing” shall mean any handwriting, typing, printing, 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, and any record thereby created, regardless of the manner in which the record has been stored.

Section 2.2 General Scope

Unless otherwise stipulated herein, this policy applies to all City employees. All such employees shall comply with the provisions outlined in this policy. It is the responsibility of all supervision to ensure that the provisions outlined in this policy are enforced for those City employees under their authority.

Section 2.3 Exemptions from Scope

None.

ARTICLE III – RETENTION OF CITY RECORDS

Section 3.1 Records Retention Schedule

The City of Corona shall maintain a Records Retention Schedule in a form approved by the City Clerk and City Attorney. The City's current Records Retention Schedule is attached to this Policy as Attachment "1" and incorporated herein by reference.

Section 3.2 Records Not Specified in Records Retention Schedule

Any City records not specified in the Records Retention Schedule shall not be destroyed without the express consent of the City Attorney and a resolution adopted by the City Council.

Section 3.3 Non-Records

Non-records are not required to be retained and may be destroyed at any time.

Section 3.4 Periodic Review of Records Retention Schedule

The City Clerk shall review the Records Retention Schedule periodically on an as-needed basis and shall submit any recommended substantive changes to the City Council for approval. The City Clerk is authorized to make minor, technical or clerical changes without City Council approval.

Section 3.5 Records Retention Procedures

- A. Active Records. Active records shall be maintained by each department under a retention program designed by each department that is suited to the needs of the department and the type of City records maintained by the department. The retention program minimally must meet the following specifications:
1. On-Site Storage. Inactive records shall be stored on City premises using complete and accurate indexes which allow them to be identified and retrieved in an expeditious manner.
 2. Appropriate Record Keeping Spaces. City records shall be stored within spaces normally used for record keeping. Due regard shall be made that the City records are preserved so they are legible and usable for their entire records retention period.

3. Physical or Electronic Filing Systems. Filing systems may be standard physical storage, or in cases where appropriate, electronic storage. Electronic storage systems must meet the requirements of California Government Code section 34090 *et seq.* Conversion of physical records to electronic form requires a process that complies with California Government Code section 34090.5.
- B. In-Active Records. Inactive records may be kept with active records until destroyed under this policy or may be stored in alternative ways. Alternative storage methods are:
1. Off-Site Storage. Inactive records may be stored in secured off-site storage facilities located on either City property or on property owned or maintained by commercial enterprises. Commercial enterprises shall meet applicable state and local codes, shall provide protection from fire and intrusion, shall provide climate-controlled vaults and fireproof cabinets or areas when storing vital or permanent records, and shall provide appropriate storage for the type of document being stored (e.g., paper, microfilm, etc.). Departments shall develop guidelines for which records may be stored off-site, and shall maintain an inventory of those records stored off-site. At the time the inactive records are transferred to off-site storage, each record package shall be complete and shall relate to only one subject (e.g., project or other activity). The index for each box of inactive records shall have a sufficiently detailed description of the City records contained in the box to facilitate retrieval. Duplicate records, transitory records, or records which do not qualify as City records shall not be maintained in off-site storage and shall be destroyed prior to sending a records package to off-site storage.
 2. Electronic Storage. Electronic storage systems can be used for archival storage if the system and record handling processes meet the requirements of Government Code section 34090.5.
- C. Electronic Communication. Refer to City's Administrative Policy No. 100.25 – Use of Computer Resources for the requirements for the retention of email messages that constitute a City record.

ARTICLE IV – DESTRUCTION OF CITY RECORDS

Section 4.1 Records Destruction Procedures

- A. Commencement of Annual Procedures; Periodic Destruction. At least annually, beginning in July, City employees in each department shall determine which City records, within their own department, have been kept for the length of time required

- by the most recently adopted Records Retention Schedule and thus are no longer required to be retained.
- B. Litigation and Similar Proceeding Records. Prior to destruction of any City records, departments shall verify that the City records are not relevant to a lawsuit, an administrative complaint, charge or investigation, a claim, or similar proceeding which is in progress or which can reasonably be anticipated, as such a proceeding will suspend normal retention periods until sometime after final disposition of such a proceeding.
- D. Records Destruction Signature Cover Sheet. Departments shall complete a "Records Destruction Signature Cover Sheet" ("Destruction Cover Sheet"). The Destruction Cover Sheet will list each Records Destruction Authorization Certificate being requested for approval and must be approved by the Department Director and City Manger.
- E. Records Destruction Authorization Certificate. Departments shall complete a "Records Destruction Authorization Certificate" ("Destruction Authorization"). The Destruction Authorization shall list the date and description of each document to be destroyed. No City record listed on the Destruction Authorization shall be destroyed until: (1) the Department Director and City Manger has approved the destruction request by signing the "Destruction Cover Sheet" along with the Destruction Authorization; and (2) the City Council has approved, by resolution, the destruction of the City records listed on the Destruction Authorization.
- D. Department Director Review. The Department Director shall review the Destruction Authorization for conformity with this policy and the Records Retention Schedule. The Department Director may remove any City record listed on the Destruction Authorization. Upon approval, the Department Director shall submit the completed Destruction Authorization to the City Clerk.
- E. City Clerk Review. The City Clerk shall confirm that each City record listed on the submitted Destruction Authorization is (1) not required to be permanently retained; and (2) has been retained for the legally required period of time. The City Clerk shall also confirm that any applicable reproduction requirements (i.e., electronic imaging, etc.) have been completed for each City record. Finally, the City Clerk shall verify that the City record is not relevant to a lawsuit, an administrative complaint, charge or investigation, a claim, or similar proceeding which is in progress, or which can reasonably be anticipated, since again such a proceeding will suspend normal retention periods until sometime after final disposition of such a proceeding. The City Clerk shall sign and submit the Destruction Authorization to the City Attorney.
- F. City Attorney Review. The City Attorney shall review the Destruction Authorization and confirm that destruction of the listed City records would be in accordance with

- applicable law and the most recently adopted Records Retention Schedule. If acceptable, the City Attorney shall sign and return the Destruction Authorization to the City Clerk.
- G. City Council Approval by Resolution. After receiving the signed Destruction Authorization from the City Attorney, the City Clerk shall submit the Destruction Authorization, along with a resolution, to the City Council for approval to authorize the destruction of the City records listed on the Destruction Authorization.
- H. Destruction Process; Records Destruction Authorization Certificate. A complete "Records Destruction Authorization Certificate" in a form approved by the City Clerk and City Attorney ("Destruction Certificate"). After the City Council adopts the resolution approving the destruction of the City records listed on the Destruction Certificate. each department will work with the Office of the City Clerk to coordinate the destruction and, if necessary, will schedule to have City records moved to the archive center for destruction. The Office of the City Clerk will personally witness the destruction of the records. The Destruction Certificate certifies (1) that the records will be destroyed in accordance with the most recently adopted City of Corona Records Retention and Destruction Policy; (2) that the records were either destroyed by a City employee or a records destruction company on the specified date and that they were destroyed by a particular method; (3) that The Office of the City Clerk personally witnessed the records being destroyed.
- I. Retention of Records Destruction Certificate. Departments shall forward the Records Destruction Authorization Certificate to the City Clerk for retention. The City Clerk shall retain all original signed Records Destruction Authorization Certificates for a minimum period of two (2) years.
- J. Master Log. The City Clerk shall also keep a master log of all destroyed City records, which includes the titles or brief descriptions of the City records that were destroyed, the method of destruction and the date of destruction.

PRIOR VERSIONS

ISSUED: [***XX-XX-XX***]
[***INSERT MORE AS NEEDED***]