



Item No. 1 Town of Atherton

CITY COUNCIL STAFF REPORT – ACTION ITEM

TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER

THROUGH: GEORGE RODERICKS, CITY MANAGER

FROM: THERESA N. DELLASANTA, CITY CLERK

DATE: MAY 1, 2019

SUBJECT: RESOLUTION AUTHORIZING THE DESTRUCTION OF
RECORDS PURSUANT TO GOVERNMENT CODE SECTION
34090

RECOMMENDATION

Adopt the attached Resolution authorizing the destruction of certain records pursuant to Government Code Section 34090.

BACKGROUND | ANALYSIS

The California Government Code authorizes the destruction of records and requires agencies adopt compliant records retention schedules. These schedules ensure that certain records are maintained in perpetuity and other records are maintained for sufficient time periods, dependent on the type of records, to allow standards and structure for local government records management efforts.

Town staff is cleaning out the administration files in advance of moving to the new temporary location in the park. Files are either being moved to the Carriage House for storage or recommended for destruction pursuant to the Town and State records retention policy. The information is of no useful value to the Town, and is out of date. Maintaining old files can lead to the use of stale information in personnel and litigation matters that can be detrimental to staff, the department, and the Town.

It is recommended that the City Council authorize this timely and appropriate destruction of old files in accordance with the law.

FISCAL IMPACT

There is no fiscal impact in approving this resolution for the destruction of records.

ATTACHMENTS

- Resolution

RESOLUTION NO. 19-xx

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS RETAINED BY THE
ADMINISTRATION DEPARTMENT**

WHEREAS, On March 18, 2015, the City Council approved Resolution No. 15-09 adopting a records retention policy; and,

WHEREAS, after review of several files, certain records became eligible for retention review and were audited by the City Clerk and City Attorney; and,

WHEREAS, these certain records, as identified on the attached Exhibit, have been reviewed and determined to hold no administrative or historical value; and,

WHEREAS, The City Clerk and the City Attorney have filed written consent to the destruction of the records identified on Exhibit A.

WHEREAS, the City Council of the Town identify the records categorized on Exhibit A are no longer required for storage, the destruction of these records is hereby authorized.

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NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton passed and adopted the fees in Exhibit A. I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on this 1st day of May, 2019, by the following vote:

*AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:*

William R. Widmer, Mayor

ATTEST:

Theresa DellaSanta, City Clerk

APPROVED AS TO FORM:

William Connors, City Attorney

EXHIBIT A

DEPARTMENT	RECORD TITLE	DATE OF ORIGIN	RETENTION
City Clerk	Copies of Council Resolutions	2004-2009	No Retention
City Clerk	Election Files	1995-2002	Election + 4 Years
City Clerk	Recruitments for Committees and Commissions		Current FY + 2 Years
City Clerk	FPPC Filing Forms for Elected Officials –	1986-1999	7 Years
Human Resources	APOA Negotiations – compensation studies, correspondence, policies	1993-1997	Current Year + 2 Years
Human Resources	Employee Personnel Files	1972-1989	Term of Employment + 5 Years
Human Resources	Workers Comp/Medical Files	1980-1987	Closed + 5 Years
Human Resources	Recruitments – Administration Positions (not hired)	2011-2017	No Retention
Human Resources	Medical Files (Past Employees)		Closed (Claim) + 5 Years
Finance	Warrants	2008	Audit Year + 2 Years
Finance	Bank Statements	1990's	Audit Year + 2 Years
Finance	Deposit Statements	1990's	Audit Year + 2 Years
Finance	Voided Check Stock	2000	No retention
Finance	Financial Statements	1960's	Audit Year + 2 Years
Finance	Controllers Reports	1960's	No retention
Police Department	Internal Affairs Report - Sustained	1997	Closed + 5 Years