


BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: November 1, 2011

TO: Honorable Mayor and City Council
VIA: Laura Snideman, City Manager
FROM: Siobhan Smith, City Clerk 
TITLE: REVISIONS TO THE CITY OF HALF MOON BAY RECORD RETENTION SCHEDULE

RECOMMENDATION

Adopt Resolution Revising the City of Half Moon Bay Record Retention Schedule.

FISCAL IMPACT

None.

BACKGROUND

The purpose of a record retention schedule is to establish a pattern for the orderly transfer or destruction of records on a continuing basis. A record retention schedule provides procedures to identify records that have served their purpose and are no longer required and may be transferred to storage or destroyed.

The City of Half Moon Bay's existing Record Retention Schedule was adopted in January 2010. Staff reviews the Retention Schedule periodically for typographical errors, incorrect code citations, omissions and updates. As part of that review, staff has identified several areas for revision.

A copy of the proposed Revised Record Retention Schedule is attached to the draft Resolution (Attachment 1). Where appropriate, retention schedules have been revised and new Record Series have been created. Areas of change are highlighted in yellow.

Revisions

Page 1 – Agendas

- Parks & Recreation Commission - Removed from Schedule as a separate record series and incorporated into "Other Boards and Commissions"
- Architectural Review Committee - Removed from Schedule as a separate record series and incorporated into "Other Boards & Commissions"

Page 3 – Building Plans Residential/Commercial

- Retention Period Revised per Health & Safety Code Section 19850

Page 4 – CIP Records

- Clarification of the records that must be kept permanently
- Addition of Record Series – Coastal Development Permits

Page 6 – Minutes

- Architectural Review Committee - Removed from Schedule as a separate Record Series and incorporated into "Other Boards and Commissions"
- Parks & Recreation Commission - Removed from Schedule as a separate Record Series and incorporated into "Other Boards and Commissions"

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- Addition of Record Series - Planned Unit Developments
- Addition of Record Series – Recorded Documents
- Phone Message Pads Record Series deleted from Schedule

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- Addition of Record Series – Site & Design Permits

ATTACHMENTS:

1. Resolution Revising the City of Half Moon Bay Record Retention Schedule

ATTACHMENT - 1

Resolution No. C-____-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HALF MOON BAY
REVISING THE RECORD RETENTION SCHEDULE AND DESIGNATION CERTAIN
CITY DEPARTMENTS AS THE OFFICIAL CITY OF RECORD**

WHEREAS, Government Code Section 34090 et. seq. sets forth certain legal requirements relating to the retention of certain municipal records; and

WHEREAS, other Codes, both State and Federal, also specify other retention requirements for specific public records; and

WHEREAS, the City Council recognizes that, notwithstanding their legal value, certain records have longer administrative, operational, evidential and historic value; and

WHEREAS, it is appropriate and feasible to deal with public and other administrative records in a responsible, economic and timely manner,

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Half Moon Bay hereby adopts the Record Retention Schedule (Exhibit A); and

BE IT FURTHER RESOLVED THAT the specific Departments identified in said Retention Schedule are hereby designated as the Office of Record and, as such, shall be responsible for all official records so identified, and shall keep those records in compliance with applicable schedules and laws; and

BE IT FURTHER RESOLVED that the City Clerk is directed to review these schedules periodically and present any revisions to the City Council for schedule modification from time to time as necessary.

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 1st day of November, 2011 by the City Council of Half Moon Bay by the following vote:

AYES, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:

ATTEST:

APPROVED:

Siobhan Smith, City Clerk

Naomi Patridge, Mayor

EXHIBIT - A

**CITY OF HALF MOON BAY RECORD RETENTION SCHEDULE
NOVEMBER 2011**

Record Series	Office of Record	Current Retention Period (in years)	Proposed Retention Period (in years)	Authority	Comments
Abatements	City Clerk	CL+2	CL +2	GC34090	Building, housing code violation records; public nuisance and weed abatements, massage parlor permits, general
Accounts Payable	Finance	AU + 4	AU + 4	GC34090	Invoices, check copies, supporting documents
Real Property Acquisition	City Clerk	CL+10	CL + 10	GC340990a; GC6254	Supporting documents re: sale, purchase, exchange, lease or rental of property by city; includes escrow documents
Escrow Documents	City Clerk	CL+10	CL+10	GC340990a; GC6254	
Affidavits of Publication	City Clerk	CU+4	CU + 4	CCP 343, 349 et seq.; GC 911.2; GC 34090.	Includes public notices, legal publications; Proof of publication or posting, certification and listing of notice of posting; Copy of newspaper notice and certification of offices to be voted for at forthcoming election/meeting.
Agendas					
City Council	City Clerk	P	P	GC34090	Agendas & Special Meeting notices for City Council
Planning Commission	Planning	P	P	GC34090	Agendas & Special Meeting notices for Planning Commission
Other Boards & Commissions	City Clerk	P	P	GC34090	Agendas & Special Meeting notices for other Boards & Committees both existing (i.e. P&R Committee), and disbanded. (i.e. Architectural Review Committee, Tree Committee, Historical Resources, etc.)
Annexation Records	City Clerk	P	P	GC34090	

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Record Series	Office of Record	Current Retention Period (in years)	Proposed Retention Period (in years)	Authority	Comments
Appeals to City Council	City Clerk	CL+2	CL + 2	GC 34090	Some appeals may become litigation files and placed on "litigation hold" until resolution of matter.
Appointments to Boards/Commissions	City Clerk	T+5	T + 5	GC 34090; GC 40801	For individuals who apply but are not selected, applications need only be retained for CL + 2 per GC 34090.
Appraisals	City Clerk	CL+2	CL + 2	GC34090; GC254(h)	
Articles of Incorporation	City Clerk	P	P	GC34090; CCP337.2	
Assessment District Records (Formation & Financial)	City Clerk	P	P	GC34090	
Audits	Finance	P	P	GC34090	
Bank Statements/ Reconciliation	Finance	AU+5	AU + 5	GC34090; 26 CFR 16001-1	Statements, summaries for receipts, disbursements & reconciliation
Bond Records	Finance	CL+10	CL + 10	GC34090; CCP 337.5	Final Bond Documentation
Budgets, City	Finance	P	P	GC34090	
Building Permits	Building	Life of Structure	Life of Structure	GC34090a; H&S 19850; GC4003; GC4004	
Supporting Documents	Building	Life of Structure	Life of Structure	GC34090	

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Record Series	Office of Record	Current Retention Period (in years)	Proposed Retention Period (in years)	Authority	Comments
Building Plans Residential/Commercial excepting the following which must be kept permanently: - Plans for a "common interest" structure as defined by Civil Code Section 1351; - Buildings over 2 stories high; - One-story buildings where the span between bearing walls does not exceed 25 feet which has a steel frame or concrete buildings	Building	Life of Structure	90 days after completion of structure	H&S 19850	
Business License Data	Finance	T+4	T+4	GC34090; CCP 337	
Election Campaign Statements (FPPC)					
Successful Candidate/Committee	City Clerk	P	P	GC81009(b)(g)	
Unsuccessful Candidate/Committee	City Clerk	E+5	E+5	GC81009(b)(g)	

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Record Series	Office of Record	Current Retention Period (in years)	Proposed Retention Period (in years)	Authority	Comments
CIP Records	Public Works	P	P	GC 37090a; 4004; H & S 19850	Complete and accurate plans and specifications work authorizations approved by the engineer describing the work to be performed, cost estimates, names of bidders with prices bid, total cost of work segregated to show the actual cost of all labor, materials, equipment, engineering or architectural services, including services of public employees in connection with that work.
Meeting Recordings	City Clerk	CU+3 months	CU + 3 months	GC34090.7	
Claims	Finance	CL+5	CL + 5	GC34090; GC25105.5	
Coastal Development Permits	Planning	P	P	GC34090	
Code Enforcement Data	Planning	CL+2	CL + 2	GC34090	
Conflict of Interest Code Form 700 Statement of Economic Interests	City Clerk	CU+2	CU + 2	GC87302	
Contracts, General	City Clerk	T+5	T + 5	CCP 337.2, 343; B&P 7042.5; PU 7685; 48 CFR 2; GC 53066	Includes leases, equipment, services, or supplies but not construction contracts for Capital Improvement Projects, which should be retained permanently per GC 37090a; 4004; H&S 19850.
Correspondence, General	Dept.	CU+2	CU + 2	GC34090(d)	

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Record Series	Office of Record	Current Retention Period (In years)	Proposed Retention Period (in years)	Authority	Comments
Deeds of Trust	City Clerk	P	P	GC34090(a); 24 CFR 570,.502(b)(3) 24 CFR 8.42 and OMB Circ. SA-110	
Deferred Compensation	Finance	T+5	T + 5	GC34090; 26 CFR 16001-1; 29 CFR 1627.3(2)	Records of employee contributions and city payments
Divestment, Property	City Clerk	P	P	GC34090	
Easements	City Clerk	P	P	GC34090	
Emergency Preparedness Plan	Police	S	S	GC34090	
Eminent Domain Judgments	City Clerk	P	P	GC34090	
Employee Records					
Recruitment	Administration	CU+3	CU+3	GC12946; GC6250 et seq.; 29 CFR 1607	Applications, resumes, alternate lists/logs, indices, ethnicity disclosures; examination materials; examination answer sheets, job bulletins, eligibility
Personnel, All	Administration	CU+7	CU +7	GC34090, GC6250	
Encroachment Permits	Public Works	P	P	GC34090	
Environmental Impact Reports	City Clerk	P	P	GC34090a + CEQA guidelines	
Fidelity Bonds	City Clerk	T+2	T + 2	GC34090	
Financial Statements	Finance	AU+7	AU + 7	GC 34090.7	
Forms, Blank	Dept.	CU	CU		
Franchise Agreements	City Clerk	P	P	GC65864; 65869.5, 34090; CCP 337.2, 353; AC16023	
General Plan Amendments Approved	Planning	P	P	GC34090	

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Record Series	Office of Record	Current Retention Period (in years)	Proposed Retention Period (in years)	Authority	Comments
Denied	Planning	P	3	GC34090	
Grading Permits	Building	P	P	GC34090(a); H&S 19850; GC4003, GC4004	
Grants	Finance	CL+5	CL+5	GC34090	
Historical Data of City	City Clerk	P	P	GC34090	
Insurance Policies	Finance	P	P	CCP 337.2; 343; GC4150, 29 CFR, 1910.20	
Inventory, Fixed Assets	Finance	AU+4	AU+4	GC 34090; 26 CFR 301 65-1(F)	Reflects purchase date, cost, account number
Legislation, Other Agencies	City Clerk	CU	CU	GC34090	
Liens (Code Enforcement)	City Clerk	CL+2	CL + 2	GC34090	Liens attached for nonpayment of code violation penalties and/or nuisance abatement costs
Litigation	City Clerk	CL+7	CL + 7	CCP 337.2; 343	Significant litigation files may merit permanent retention
Maddy Act Compliance	City Clerk	T+5	T + 5	GC 34090	
Maps (City)	Planning	P	P	GC34090	
Master Plans	City Clerk	CU+2	CU + 2	GC34090	
Minutes					
City Council	City Clerk	P	P	GC34090	
Planning Commission	Planning	P	P	GC34090	
Other Commissions	Dept	P	P	GC34090	Includes disbanded commissions and committees (i.e. P&R Commission and Architectural Review Committee)
Meeting Recordings	City Clerk	CU+90 days	CU + 90 days	GC34090.7	
Negative Declarations	Planning	P	P	GC34090	

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Record Series	Office of Record	Current Retention Period (in years)	Proposed Retention Period (in years)	Authority	Comments
Nomination Papers (City Council Elections)	City Clerk	E+4	E + 4	EC 17100; GC81009(b)	Unsuccessful nominations may be destroyed in E + 2
Notices, Public Hearings	City Clerk	CU+4	CU + 4	CCP 343, 349 et. seq, GC911.2; GC 34090	
Oaths of Office	City Clerk	CU+6	CU + 6	GC34090 29 USC 1113	
Ordinances	City Clerk	P	P	GC34090 (d)	
Parcel Map Data	Planning	P	P	GC34090	
Parking Regulations	Building	S+2	S + 2	GC34090	
Payroll Records	Finance	AU+6	AU+6	GC 34090; 29 CFR 516.2	Inc. time sheets signed by employee with attached leave requests and OT documentation. Payroll tax docs need only be retained for AU + 4, per 29 USC 436 (Forms 1096, 1099, W4, W2).
Petitions (initiative, referendum, recall)	City Clerk	E+8 months	E+8 months	EC 17200	
Planned Unit Development	Planning		P		
Policies, City	City Clerk	P	S+ 2	GC34090; 40801	
Press Releases, City	5	CU+2	CU+2	GC34090	
Proclamations	City Clerk	CU+2	CU+2	GC34090	
Public Financing Authority	City Clerk	P	P	GC34090	
Purchasing Records	Finance	AU+4	AU + 4	GC 34090; CCP 337	Invoices, check copies, and supporting documents
Records Disposition Data	City Clerk	P	P	GC34090	
Records Retention Schedule	City Clerk	S+4	S + 4	CCC 343	
Recorded Documents	City Clerk		P	GC34090	
Resolutions					

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City Council	City Clerk	P	P	GC34090	
Planning Commission	Planning	P	P	GC34090	
Revenue & Taxation	Finance	AU+3	AU + 3	CCP 338	
Site & Design Permits	Planning	P	P	CG34090	
Statement of Economic Interest	City Clerk	T+7	T + 7	GC 81109(e)	Statements filed by individuals who are not elected need only be retained for the Election year + 5, per GC 81109(b)
Subdivisions					
Minor Subdivision Maps	City Clerk	P	P	GC34090	
Tentative Maps	City Clerk	P	P	GC34090	
Parcel Maps	City Clerk	P	P	GC34090	
Title Records (Real Property)	City Clerk	P	P	GC34090	
Use Permits	Planning	P	P	GC34090	
Variances	Planning	P	P	GC34090	
Warrant Registers	Finance	AU+2	AU + 2	GC34090.7	
Working Papers/Notes	Department	CU+2	CU + 2	GC34090	
Zoning/Rezoning	Planning	P	P	GC34909a	

LEGEND:

AU – Audit
CL – Closure/Completion
S – Superseded
CU – Current Use
E – Election Date

P – Permanent
T – Termination