



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: FEBRUARY 11, 2020

DEPARTMENT: OFFICE OF THE CITY ATTORNEY

FROM: CHRISTOPHER A. CALLIHAN, CITY ATTORNEY

TITLE: RECORDS RETENTION SCHEDULE; SALINAS POLICE
DEPARTMENT

RECOMMENDATION MOTION:

A motion to approve a Resolution updating the Records Retention Schedule for records maintained by the Salinas Police Department.

RECOMMENDATION:

It is recommended that the City Council approve the proposed Resolution.

EXECUTIVE SUMMARY:

Retention of public records is generally governed by California Government Code §34090 *et seq.*, with other provisions of California law governing the retention periods for some specific records. Destruction of public records is prohibited unless it is done so in compliance with a records retention schedule established by the City in accordance with applicable state law.

DISCUSSION:

Generally, public records must be retained for a minimum of two years, though some may be retained for less than two years and some must be retained permanently. The City last updated its records retention schedule on September 18, 2007 (Resolution No. 19314). Since that time, retention periods have changed and updates to the records retention schedule are needed to reflect current practices and policies. The City Clerk and the City Attorney have been working on a comprehensive update to the records retention schedule; however, given the impending move of the Salinas Police Department from its current location to the new Salinas Police Headquarters building, the City Clerk and the City Attorney are moving the Salinas Police Department's portion of the updated records retention schedule forward in advance in order to provide guidelines for which currently maintained public records may be destroyed and which must be maintained. This will facilitate an orderly transfer of records to the new location.

CEQA CONSIDERATION:

The proposed action is not a project subject to consideration under the California Environmental Quality Act.

STRATEGIC PLAN INITIATIVE:

Approval of the proposed Resolution is consistent with the City Council's goal of an effective, sustainable government.

FISCAL AND SUSTAINABILITY IMPACT:

The City Council's approval of the proposed Resolution and update to the records retention schedule will not have an impact on the City's General Fund or Measure E or Measure G.

DEPARTMENTAL COORDINATION

The City Clerk and the City Attorney have been coordinating on a comprehensive update to the records retention schedule. The Salinas Police Department participated in the review of the existing records retention schedule and the preparation of the propose update.

ATTACHMENTS:

Resolution
Salinas Police Department Records Retention Schedule

RESOLUTION NO. _____ (N.C.S.)

A RESOLUTION UPDATING THE CITY OF SALINAS RECORDS RETENTION AND DISPOSITION SCHEDULE

WHEREAS, the City of Salinas last updated its Records Retention and Disposition Schedule on September 18, 2007; and

WHEREAS, the existing Records Retention and Disposition Schedule is undergoing a comprehensive update; and

WHEREAS, the Salinas Police Department's portion of the update has been completed and is ready for implementation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF SALINAS as follows:

1. The City's Records Retention and Disposition Schedule is updated to incorporate the attached for the Salinas Police Department, to replace what is currently incorporated into the Records Retention and Disposition Schedule approved by the City Council on September 18, 2007, through Resolution No. 19314.
2. The City Clerk is hereby authorized and directed to take whatever additional actions may be necessary to implement the intent of this Resolution.

PASSED AND APPROVED this 11th day of February 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk