

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 RIVERSIDE, CALIFORNIA REPEALING RESOLUTION NOS.
4 21524, 21738, 21827, 22032, AND 22033 TO REVISE THE
5 RECORDS RETENTION SCHEDULES FOR ALL CITY
6 DEPARTMENTS AND AUTHORIZING THE DESTRUCTION OF
7 CERTAIN CITY RECORDS.

8 WHEREAS, different City records should be kept for various lengths of time in order to
9 comply with the provisions of law and needs of the City; and

10 WHEREAS, certain records can be legally and properly destroyed and Section 34090 of the
11 California Government Code sets forth a procedure whereby a City record which has served its
12 purpose and is no longer required may be destroyed; and

13 WHEREAS, that Government Code procedure requires the approval of the legislative body
14 by resolution as well as certain other requirements, and this resolution is intended to provide such
15 legislative approval; and

16 WHEREAS, this resolution is further intended to amend the records retention schedules for
17 all City Departments, which will facilitate the orderly and efficient retention and destruction of the
18 records of the City of Riverside.

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside as
20 follows:

21 Section 1: The records of the City Departments of the City of Riverside, as set forth in
22 the approved departmental Records Retention Schedules, are hereby authorized to be destroyed as
23 provided by Section 34090 of the Government Code of the State of California and in accordance
24 with the provisions of said schedules without further action by the City Council of the City of
25 Riverside, provided, however, that no records may be destroyed pursuant to said schedules without
26 the prior written approval of the department head and the City Attorney.

27 Section 2: The provisions of Section 1 above does not authorize the destruction of
28 records affecting the title to real property or liens thereon, original court records, records required to
be kept by statute, records of less than two years old, and the minutes, ordinances, or resolutions of
the legislative body or of a City board or commission.

1 Section 3: The destruction of any record as provided for herein shall be by burning,
2 shredding or other effective method of destruction and said destruction shall be witnessed by the
3 City Clerk or a designated representative.

4 Section 4: Pursuant to the procedures described in Section 34090.5 of the Government
5 Code of the State of California as that section exists on the date of the adoption of this resolution or
6 as it may be amended in the future, and notwithstanding the provisions of Section 5 of this
7 resolution, the City officer having custody of public records, documents, instruments, books, and
8 papers, may without the approval of the City Council or the written consent of the City Attorney,
9 cause to be destroyed any or all of the records, documents, instruments, books, and papers, if all of
10 the following conditions are complied with:

11 (a) The record, paper, or document is photographed, microphotographed, reproduced by
12 electronically recorded video images on magnetic surfaces, recorded in the electronic data
13 processing system, recorded on optical disk, reproduced on film or any other medium that is a
14 trusted system and that does not permit additions, deletions, or changes to the original document, or
15 reproduced on film, optical disk, or any other medium in compliance with Section 12168.7 for
16 recording of permanent records or nonpermanent records.

17 (b) The device used to reproduce the record, paper, or document on film, optical disk, or
18 any other medium is one which accurately and legibly reproduces the original thereof in all details
19 and that does not permit additions, deletions, or changes to the original document images.

20 (c) The photographs, microphotographs, or other reproductions on film, optical disk, or
21 any other medium are made as accessible for public reference as the original records were.

22 (d) A true copy of archival quality of the film optical disk, or any other medium
23 reproductions shall be kept in a safe and separate place for security purposes.

24 (e) No page of any record, paper, or document shall be destroyed if any page cannot be
25 reproduced on film with full legibility. Every unreproducible page shall be permanently preserved
26 in a manner that will afford easy reference.

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Section 5: The reproduction of an original record produced in accordance with Section 4 shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy of the original.

ADOPTED by the City Council this ____ day of June, 2016.

WILLIAM R. BAILEY, III
Mayor of the City of Riverside

Attest:

COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of said City at its meeting held on the ____ day of June, 2016, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
City of Riverside, California, this _____ day of June, 2016.

COLLEEN J. NICOL
City Clerk of the City of Riverside

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