

DATE SUBMITTED 3/15/24 \_\_\_\_\_  
 SUBMITTED BY City Attorney  
 DATE ACTION REQUIRED March 20, 2024

COUNCIL ACTION (X)  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION ( )  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS ( )

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT: DISSCUSION/ACTION:  <p align="center">Adoption of Resolution of the City Council of the City of Imperial                  Authorizing the Destruction of Obsolete City Records.</p>	
BACKGROUND/SUMMARY: City staff has reviewed stored, physical documents located in all City facilities. In order to create more space and create organized document management, the City Attorney requests that the City Council adopt this Resolution authorizing the destruction of obsolete documents. This request is being made in compliance with all City policies, federal and state laws and regulations.	
FISCAL IMPACT: None.	FINANCE INITIALS <u>JMS</u>
STAFF RECOMMENDATION: Adopt Resolution of the City Council of the City of Imperial Authorizing the Destruction of Obsolete City Records.	DEPT. INITIALS _____
MANAGER'S RECOMMENDATION:  <p align="center"><i>approve</i></p>	CITY MANAGER'S INITIALS <u>Ott</u>
MOTION:  SECONDED: APPROVED ( ) REJECTED ( ) AYES: DISAPPROVED ( ) DEFERRED ( ) NAYES: ABSENT: REFERRED TO:	

**RESOLUTION NO. 2024-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF IMPERIAL AUTHORIZING THE DESTRUCTION OF  
OBSOLETE CITY RECORDS**

**WHEREAS**, the City of Imperial complies with adopted City policies and all state and federal laws regarding retention of records; and

**WHEREAS**, the law and policy sets forth the retention period for records of the City and authorizes the destruction of certain records and documents by a department head, with the approval of the legislative body by resolution and the written consent of the City Attorney; and

**WHEREAS**, staff recommends that certain obsolete records identified on **Exhibit A** are no longer required to be maintained by law; and

**WHEREAS**, the City Attorney has given written consent for the destruction of the records herein set forth as **Exhibit A**.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL  
DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:**

**SECTION 1:** The City Council hereby finds and determines that the records identified in **Exhibit A** exceed the applicable retention period set forth by law and the City's Policy and are no longer needed or required to be kept by statute or law.

**SECTION 2:** The City Council hereby authorizes and directs the destruction of the records described on **Exhibit A**.

**SECTION 3:** The City Council also hereby authorizes the conversion, to the extent possible, of all permanent and official records to electronic form in compliance with the California Secretary of State laws and regulations referred to as "Trustworthy Electronic Document or Record Preservation" (See California Government Code section 12168.7 *et seq.*).

**SECTION 4:** This Resolution shall be effective immediately upon its passage and approval.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Imperial on the 20<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
ROBERT AMPARANO,  
Mayor

ATTEST:

\_\_\_\_\_  
KRISTINA SHIELDS,  
City Clerk

## **Exhibit A**

### **Description of Records:**

- All non-permanent Community Development building, planning and zoning files more than five years old. While final permits, final plans and final entitlements shall be maintained, non-permanent documents such as drafts and communications shall be destroyed.
- All personnel files for personnel that have ended employment with the City of Imperial more than five years ago (except for any police records required to be maintained for SB2 compliance).
- All replaced and obsolete City policies that have been replaced or terminated more than five years before.
- All grant documents that have been closed out more than seven years ago. (Official entitlements, plans, specification and maps that are permanent records shall be maintained).
- All public works project files that have been closed out more than five years ago. (Plans and specifications, official maps, official utility maps and entitlements shall be maintained).
- All non-permanent Parks and Recreation documents exceeding five years (all park official maps, plans, specifications and entitlements shall be maintained until five years after replacement of such equipment or updated map and entitlement).
- All non-permanent City communications exceeding five years.
- All non-permanent financial records exceeding ten years. While communications, drafts, invoices and project related financial documents may be destroyed, all bond related, final budget related and utility related financial records shall be maintained permanently.
- All duplicates of documents that are being maintained by another City department. Such confirmation of that maintenance shall be confirmed in writing.

I, Katherine Turner, City Attorney, certify that such destruction of the documents set forth above meets the requirements of the City's policies and all applicable requirements of state and federal law.

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KATHERINE TURNER,  
City Attorney