



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 17, 2013

**TO:** Mayor and Councilmembers

**FROM:** City Attorney's Office

**SUBJECT:** Records Destruction For City Attorney's Office

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Attorney's Office.

### **DISCUSSION:**

The City Council adopted Resolution No. 12-008 on February 14, 2012, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

The City Attorney's office has recently completed a comprehensive review of its old closed files particularly those relating to litigation which was resolved years ago. In addition, the Office has reviewed its closed and older departmental "subject" files which typically relate to requests for legal advice or assistance concerning various projects and contracts negotiated by each of the Departments over the years. For the most part, these departmental "subject" files only contain duplicate copies of original documents maintained within the City departmental file or by the City Clerk's office. Under the requirements of the state Government Code for the retention of public records, duplicate copies of original records are not required to be preserved for any minimum period of time. Otherwise, all other files to be destroyed have been retained for the required state law minimum two year period of time. The City Attorney has reviewed the detailed lists of files to be destroyed and concurs in the recommendation for destruction.

The City Attorney requests the City Council to approve the destruction of the City Attorney's office records listed on Exhibit A of the resolution without retaining a copy.

**SUSTAINABILITY IMPACT:**

Under the City's Sustainable Santa Barbara Program, one of the City's goals is to increase recycling efforts and divert waste from landfills. The Citywide Records Management Program outlines that records approved for destruction be recycled, reducing paper waste.

**SUBMITTED BY:** Stephen P. Wiley, City Attorney

**APPROVED BY:** City Administrator's Office