

CHAPTER 1

RECORDS RETENTION AND DISPOSITION

Section

- [12.1](#) Definitions.
- [12.2](#) Responsibilities.
- [12.3](#) Records Disposition Schedule.
- [12.4](#) Photographic and Electronic Reproduction.
- [12.5](#) Disposition of Records.
- [12.6](#) Use of Descriptive Terms.
- [12.7](#) Applicability of the Chapter.

Sec. 12.1. Definitions.

The following definitions shall apply for purposes of this division.

- (a) **APPRAISAL (of records).** The act of determining: (1) the relative activity in the use of records; (2) value of records with regard to administrative, legal, fiscal, vital or historical interest; (3) adequate and essential periods of retention; and (4) appropriate disposition of records.
- (b) **DEPARTMENT.** Includes City departments, offices and bureaus.
- (c) **DISPOSITION.** Involves either the transfer of inactive records to a city records center or the disposal of such records by destruction, sale as waste paper or other lawful act.
- (d) **DUPLICATE RECORDS.** Copies or counterparts, which accurately reproduce original records, whether prepared simultaneously by the same impression as the original, or from the same matrix, or by means of photographic reproduction, including enlargements and miniatures, recorded video images on magnetic surfaces, or by mechanical, video or electronic re-recording, or by chemical reproduction, or by other equivalent technique, and which are not treated as or used for functions or purposes regularly served by such original records in the regular course of City business.
- (e) **HISTORICAL RECORDS.** Records which depict persons or phenomena which are, or have been a part of, events or conditions which significantly affect or have affected the City, its functional activities, its heritage, growth and/or development.
- (f) **ORIGINAL RECORDS.** Any public record other than a duplicate as defined in Section [12.1](#)(d). Photographically or electronically reproduced records also can be deemed original records, provided the reproduction is done in accordance with Section [12.4](#) of this Code.
- (g) **PHOTOGRAPHIC AND ELECTRONIC REPRODUCTION.** Includes all forms of photography, micrographics or processes which record images electronically or optically.

(h) **PHYSICAL INVENTORY.** A complete listing of records by series title, classification or other designation together with sufficient supporting data to enable a proper evaluation for determining retention periods.

(i) **PUBLIC RECORD.** A record which is made or kept by a City department or office pursuant to law or indicating action taken with respect to a particular City matter, but not including notes or preliminary drafts not retained in the regular course of business or a writing prepared or used by a City department or officer as a temporary aid in the preparation of minutes of a meeting of a City body or other record.

(j) **RECORD.** Any form of communication or representation, including letters, words, pictures, sounds, symbols or combinations thereof, recorded or reproduced upon a tangible object by handwriting, typing, printing, photocopying, photography, recording of images on sensitized or magnetic surfaces, or by other means.

(k) **RECORDS MANAGEMENT PROGRAM.** An administrative plan for application of efficient and economical management methods of identification, appraisal, maintenance, protection, preservation, transfer, retention and disposition of City records.

(l) **RECORDS DISPOSITION SCHEDULE.** An informational timetable or roster of records by category which primarily lists the minimum periods of time which must lapse, as required by the City or pursuant to state law, whichever is longer, before records in each category identified on said document may be destroyed.

(m) **RECORD SERIES.** Groups of related records which are normally used and filed as a unit and which permit evaluation as a unit for retention and disposition purposes. A record series may contain both forms and correspondence.

(n) **RETENTION PERIOD.** The length of time a record must be kept to meet administrative, legal, operational, fiscal or historical requirements.

(o) **VITAL RECORDS.** Records essential for continuation of service, reconstruction or resumption of the essential operational functions of the City or maintenance of public health, safety and order in the event of a local emergency or public disaster.

SECTION HISTORY

Based on Charter Sec. 434.

Amended by: In Entirety, Ord. No. 155,822, Eff. 10-24-81; In Entirety, Ord. No. 168,014, Eff. 7-27-92; In Entirety, Ord. No. 183,754, Eff. 8-11-15.

Sec. 12.2. Responsibilities.

(a) **CITY CLERK.**

(1) The City Clerk shall be responsible for the Records Management Program of the City and for development, administration and coordination of procedures for those duties. The City Clerk also shall provide for and administer a records center or centers for the efficient and economical storage, maintenance and servicing of inactive City records. The City Clerk shall provide uniform standards and efficient controls over the identification, appraisal, maintenance, protection, preservation, transfer, retention and disposition of City records.

(2) The City Clerk shall also:

A. Provide assistance in the preparation of Records Disposition Schedules and amendments thereto;

B. Review Records Disposition Schedules and amendments, provide guidelines and make recommendations deemed appropriate to insure coordination in the identification, maintenance, protection, transfer, retention and disposition of all City records; and

C. Receive those records which are not currently required to be used in the regular course of City business and which a department may transfer thereto for maintenance, preservation and disposition.

(3) The City Clerk also shall develop and maintain a City historical records program, including a City Archives, in connection with which the City Clerk shall:

A. Review Records Disposition Schedules and available records from all departments, including those public records of a public official transferred during the official's term of office or existing at the termination or expiration of such public official's term of office, and all requests for destruction of records, in order to identify historically significant records;

B. Receive, separate and collect, from each department, with concurrence of the department head or officer involved, historical records not in current use, including, but not limited to, those which are listed on the Records Disposition Schedule, provided that such records are not, or will not be, maintained in the normal course of events in another portion of the City Archives as a part of the minutes or other necessary records of the City;

C. Classify, index and store in the City Archives, where applicable, all records when received which are deemed by the department head or the City Clerk to have historical value;

D. Cause historical records to be suitably protected and preserved;

E. Provide a suitable reference area and document retrieval service for departments, officers and for researchers of historical information; and

F. Periodically examine records of historical value retained in City departments for current use and, in conjunction and in cooperation with said departments, provide for the availability of such records during normal business hours in the event such are needed for review or research purposes.

(4) The Office of the City Clerk shall become custodian of any historical record transferred to the City Archives under the terms of an approved Records Disposition Schedule, subject to the requirements for records custodianship imposed by the Charter on other City officers. Notwithstanding the foregoing or any provision of any Records Disposition Schedule to the contrary, any historical records of the Office of the Mayor or of any Councilmember in the custody of the City Clerk or of any Councilmember may be transferred to a public or private academic institution having suitable library facilities, as provided in an agreement between the City of Los Angeles and such institution. Such agreement shall include the following provisions:

A. Records so transferred shall remain public records in the custody of the Office of the Mayor, or the involved Councilmember, subject to such control by the institution as is permitted by the terms of the agreement.

B. Records shall be catalogued, preserved, maintained and made available for public inspection at that institution, in accordance with the Public Records Act of the State of California and professional archival standards.

C. Records so transferred may at any time be inspected by City officers and employees for compliance with the terms of the agreement.

D. Upon request of the Office of the Mayor, or the involved Councilmember, with concurrence of the City Council, or request by the Council, with concurrence by the Office of the Mayor, or the involved Councilmember, records shall be promptly returned to the City by the institution.

E. Records transferred may not be sold, licensed, transferred, destroyed or loaned to users except as those activities relate to the City of Los Angeles.

Any such agreement, or amendments thereto, shall be approved by the City Council. No records of the Office of the Mayor created prior to July 1, 1973, may be transferred to any such institution.

(5) Any City record determined by the City Clerk to be of possible interest to a recognized community historical organization, but not of historical interest to the City of Los Angeles, may be given to a recognized community historical organization in lieu of the destruction thereof, provided the following conditions are met:

A. The City Clerk has consulted with the department or office having custody of such record or the department or office from which such record was received by the City Clerk regarding the release thereof.

B. The City Clerk has made all the determinations required to be made under Section [12.5\(a\)\(1\)](#) of this Code.

Upon receipt of said records, the designated community historical organization receiving them shall become the owner thereof and all further disposition of the document shall be at the discretion of such community historical organization.

(b) **OFFICERS AND DEPARTMENT HEADS.** Each officer and the head of each City department shall:

(1) Be responsible for implementing and maintaining within the particular department involved an efficient and cost effective records management program, and shall preserve and protect records and information collected and retained in the regular course of City business. The records management program of each department shall ensure that the collection, maintenance, use or dissemination of any record of identifiable personal information is carried out for a necessary and lawful purpose, that the information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information. The records management program of each department shall ensure also that no record is maintained describing how any individual exercises rights guaranteed by the First Amendment of the United States Constitution, or Article 1, Sections 1 through 4 of the California constitution, unless expressly authorized by statute or by the individual about whom the record is maintained, or unless pertinent to and within the scope of the duties and responsibilities of the department, provided that the department's activities with respect to the collection, maintenance, use and dissemination of such records are conducted in compliance with City guidelines and regulations which are pertinent to those activities and in compliance with all applicable laws;

(2) Cooperate with the City Clerk to assure proper administration and implementation of the City's Records Management Program;

(3) Certify or be responsible for all certifications required of that officer or department head as set forth in this chapter;

(4) Be responsible for identification, transfer, retention and disposition of the records of said department;

(5) Conform to and implement the records requirements and limitations set forth in Section [12.3](#) and periodically review said schedule for the purpose of determining whether the retention periods should be changed or items added to or deleted from the schedule and amend the schedule with City Council and City Attorney approval to reflect such changes;

(6) Conform to and implement the record reproduction requirements and limitations set forth in Section [12.4](#) and as elsewhere in this chapter provided; and

(7) Conform to and appoint a records coordinator for their department or office for the disposition of records as set forth in Section [12.5](#) and as elsewhere in this chapter provided.

SECTION HISTORY

Added by Ord. No. 155,822, Eff. 10-24-81.

Amended by: Subsec. (b), Subdiv. (1), Ord. No. 158,139*, Eff. 8-21-83; In Entirety, Ord. No. 168,014, Eff. 7-27-92; Subsec. (a), Subdiv. (4), Ord. No. 168,846, Eff. 7-30-93; Subsec (a), Subdiv. (5), Ord. No. 171,474, Eff. 2-13-97; Subsec. (b), Subdiv. (5), Ord. No. 171,472, Eff. 2-13-97; Subsec. (a), Subdiv. (4), Ord. No. 171,602, Eff. 6-21-97; Subsec. (a)(1), Ord. No. 173,288, Eff. 6-26-00, Oper. 7-1-00; In Entirety, Ord. No. 183,754, Eff. 8-11-15.

* Freedom of Information Ordinance of 1983.

Sec. 12.3. Records Disposition Schedule.

(a) **PREPARATION.** In the preparation of a Records Disposition Schedule and any subsequent proposed amendments thereto, the officer or department head involved shall cause the following to be accomplished:

(1) Prepare a physical inventory and appraisal of all records created and maintained by the department involved in order to determine the relative frequency of use or movement of records, the value of records with regard to administrative, legal, fiscal and historical interest, and the adequate and essential periods of retention and appropriate disposition of said records;

(2) Records set forth on the Records Disposition Schedule of a department shall be itemized, identified by form number if available, and by record title and record series title, in alphabetical or numerical sequence. For each record or record series, the schedule shall state the retention period for maintenance in the department involved, as well as any City records center or centers utilized for the storage thereof. Original documents shall be listed separately from duplicate copies thereof. For each duplicate record, if such is not apparent from the face thereof, the location of the original record and the department having custody thereof shall be noted; and

(3) Any record or record series contained in a Records Disposition Schedule shall be specifically and accurately described in accordance with guidelines developed by the City Clerk. The schedule shall also identify the physical form in which the record exists.

(b) **RECORDS CLASSIFICATION AND RETENTION TIME PERIODS.** The head of each department, or the authorized designee thereof, during the course of preparing for that department the Records Disposition Schedule or any amendment thereto, shall identify and designate each record or record series thereon according to one or more of the following classifications. Records which fall into more than one classification shall be retained for the longest applicable retention period.

(1) The following records shall be retained permanently:

A. Historical records.

B. Records affecting title to real property or liens thereon.

C. Records required by Charter or statute to be retained.

D. Minutes, ordinances and resolutions by the City Council, Boards or Commissions.

(2) Vital records shall be retained, while current, subject to the provisions of Section [12.2\(b\)\(5\)](#) of this Code hereinabove.

(3) Retirement records shall be retained through the life of the employee, the life of that employee's surviving spouse, and throughout the dependency or the age of minority of the employee's surviving children as provided in the Charter, plus five years.

(4) Personnel, medical, hospital or similar records shall be retained until the date of termination of City employment, plus five years, except that where termination is by retirement, records shall be retained for the same period of time required for those records in category [12.3\(b\)\(3\)](#) above.

(5) The following records shall be retained for a minimum of five years unless a shorter or longer retention period is required by law or unless the record must be retained for a longer period of time to protect the City in the event of litigation:

A. Records exempt from public disclosure pursuant to provisions of the California Public Records Act, as amended.

B. Records related to any complaint of misconduct by the City or by any City officer or employee.

C. Records of a complaint to, or investigation conducted by, any City office or department for correctional, law enforcement or licensing purposes.

D. Records used or customarily used in civil or criminal litigation, including any appellate review thereof.

E. Records prepared in connection with any claim filed against the City.

(6) Records not included in categories (1) through (5) or (7) and (8) of Subsection (b) shall be retained for a minimum of two years unless a shorter period is otherwise permitted by law or a longer period is otherwise required by law, or unless, consistent with state law, a different period of retention is established by order or resolution of the Council. These records shall be identified and designated by form, series title, or by subject, listed either individually or by series, in alphabetical or numerical sequence.

(7) Records in the form of telephone and/or radio communications which are recorded routinely on a daily basis on tapes as a part of the regular public health, peace or safety operation of the Police and Fire Departments shall be retained for a minimum period of 15 months subject to the following provisions:

A. In the event that, prior to the date of destruction a record of this type (hereinafter referred to as "tape record") has been subpoenaed or ordered or requested to be held in connection with any litigation, either criminal or civil, or any administrative proceeding, or to the awareness of either the Los Angeles Police Department or Los Angeles Fire Department has otherwise become or is likely to become the subject of discovery proceedings in any of the above types of actions, a request for destruction thereof shall not be filed, nor shall the original of such tape record be destroyed unless:

(i) A re-recording or duplicate has been made of the conversation or other communication which is a part of the subject matter of the litigation or administrative proceeding contained on the original tape record;

(ii) The preparation of the re-recording or duplicate is or can be properly authenticated;

(iii) The party or parties subpoenaing or otherwise ordering or requesting the production of the tape record have been advised of the intended destruction of the original tape record and that the retention of the original tape record may be requested; and

(iv) There has been no request for the retention of the original tape record as of the date the request for destruction is filed with the City Clerk.

In the event there is a request for retention of the original tape record, as distinguished from a re-recording or duplication thereof as above provided, the original tape record shall be retained until the litigation or administrative action is resolved or becomes final or there has been approval for the release of the record from the party or parties initially requesting the retention of such original tape record, provided that fifteen months have transpired since the original record was placed on the tape, and the Council has approved its destruction.

B. In the event the City Council, or a City officer or department, is informed or has reason to believe that a particular event, activity, or occurrence which took place may have been recorded either by the Police or Fire Department as part of a tape record, or part of such type of record of a particular date and that the record should be retained, the Council or such officer or department shall cause the department which has possession of the record to be informed that probable cause exists for retention of the record for reasons stated. Upon receipt of such notice, or based upon its own information or reason to believe that cause for retention may exist, the department in possession of the record shall review that portion of the tape or recording of the particular date or part thereof identified with respect to the event, activity or occurrence referred to. Upon completion of that review, if said department determines that the record contains matters identifiable under any of those Subsection (b) Categories (1) through (6), the record shall be retained for the longest period of time required by those categories under which identified.

(8) Records of a latent fingerprint shall be retained in accordance with the following provisions:

A. For purposes herein the term "**latent fingerprint**" means any fingerprint (the tracing of physical characteristics of the lines upon a finger) that has been lifted from any object in order to identify the

person who has touched said object. The term "**latent fingerprint**" is not limited to a fingerprint that can be used only for positive identification purposes.

B. A latent fingerprint which has been lifted in connection with any action shall be retained until one year after such action has become final. An action shall include:

- (i) a criminal investigation of a person;
- (ii) a criminal prosecution of a person whether or not the fingerprint has been introduced in evidence in the prosecution;
- (iii) a pending appeal or writ from a criminal prosecution; or
- (iv) a civil proceeding or administrative adjudicatory proceeding related to the lifting of the latent fingerprint or to circumstances attendant thereto, and to any pending appeal or writ taken with respect thereto.

C. A latent fingerprint which is not directly related to a known pending action shall be maintained for a period of one year beyond the applicable statute of limitations in which an action could have been brought, but in no event shall a latent fingerprint be destroyed in less than three years from the date the latent fingerprint was lifted.

D. If a latent fingerprint related to an action for which there is no statute of limitations, it shall be kept for no less than ten years from the date the latent fingerprint was lifted.

E. If a latent fingerprint affects or relates to more than one action, it shall be kept for one year beyond the statute of limitations applicable to the action with the longest such statute.

(c) **CERTIFICATION.** The head of each department, or the authorized designee thereof, shall certify that to the best of his or her knowledge the descriptive titles, information, classification and designations on the Records Disposition Schedule, and any amendment thereof, meet City requirements with respect thereto, encompass all records of said department, and are correct.

(1) The City Clerk, when satisfied that all procedural and administrative requirements have been met, including vital and historical considerations, shall certify and transmit the departmental Records Disposition Schedule, and any proposed revisions to the City Attorney for review.

(2) The City Attorney, when satisfied that all legal requirements which may affect the retention or destruction of records have been met, including existing or potential litigation considerations, shall certify and return to the City Clerk the department Records Disposition Schedule, and any proposed revisions, along with any comments or recommendations for further revision.

(3) At the request of the City Attorney, department heads or authorized designees may be asked to review their departmental Records Disposition Schedule, and any proposed revisions, to ensure that

such schedules incorporate the determinations of the City Attorney with regard to legal and litigation requirements for the retention and disposition of records.

(4) Following the approvals of the City Clerk and the City Attorney, all Records Disposition Schedules and any revisions or amendments to such schedules shall be approved by City Council and returned to the City Clerk to be retained as an official record for the City.

(d) **DUPLICATE RECORDS.** All duplicate records shall be listed as such on the Records Disposition Schedule by each department or office, and may be destroyed, subject to the approval of the department head or the designated representative of such department head, if those records are no longer required to be retained in accordance with the retention periods established in said Records Disposition Schedule or their amendments.

SECTION HISTORY

Amended by: Subsec. (b), adds (13), Subsec. (d), renumbers Subdiv. (6) to Subdiv. (7), changes (12) to (13) in para. adds new Subdiv. (6), Ord. No. 167,699, Eff. 6-30-83; Subsec. (b), Subdiv. (14) added, Subsec. (d), Subdiv. (7) added, Ord. No. 161,778, Eff. 1-5-87; Subsec. (d), Subdiv. (8) added, Ord. No. 162,097, Eff. 4-26-87; In Entirety, Ord. No. 168,014, Eff. 7-27-92; Subsec. (c), Subdiv. (3), Subsec. (c), Subdiv. (4) Added, Subsec. (d), Ord. No. 171,472, Eff. 2-13-97; Title and Section In Entirety, Ord. No. 183,754, Eff. 8-11-15; Subsec. (b)(6) and (b)(7), Ord. No. 184,108, Eff. 4-4-16.

Sec. 12.4. Photographic And Electronic Reproduction.

(a) **Conditions for Replacement of Original Records by Reproductions.** In the event records are reproduced in contemplation of the possible destruction, in accordance with the provisions of Section [12.5](#), of the original records so reproduced, the following conditions shall be met:

(1) The City shall comply with all requirements of Government Code Section 34090.5 not specifically set forth in this subsection.

(2) The original record shall be photographed, microphotographed, or electronically or optically recorded by a procedure, and on a medium, that accurately captures an image of the record and does not permit additions, deletions or changes to the original document.

(3) The record shall be reproduced on a photographic film, optical disk or any other medium, provided the type of film, optical disk or other medium is in compliance with the standards or guidelines, or both, as recommended by the American National Standards Institute, referred to hereinafter as ANSI, the Association for Information and Image Management, hereinafter referred to as AIIM, or as required by California Government Code Section 34090.5 for archival recording of permanent records.

(4) The device used to reproduce the original record on film, optical disk or any other medium is one which accurately and legibly reproduces the original thereof in all details and does not permit

additions, deletions or changes to the original document images. No page of any original records shall be destroyed if it cannot be reproduced with full legibility. The requirement of full legibility is met if the image on the photographic film is as legible as was the original document. In the case of digitally stored data, the requirement of full legibility is met if an eye-readable image produced from the data is as legible as was the original document. If the legibility of the original document is questionable, the fact should be recorded in the image or array of images, proximate to the record.

(5) The photographs, micrographics or other reproductions on film, optical disk or any other medium are made as accessible for public reference as the original records were made accessible. This accessibility shall include the provision of copies of records as required under Sections [12.30](#) through [12.33](#) of this Code.

(6) A true copy of archival quality of the film, optical disk or other medium of reproduction shall be kept in a safe and separate place for security purposes. The latter requirement shall be deemed satisfied if said copy is kept in a safe and separate place which meets the housing, environmental and inspection requirements of the most current ANSI and/or ALLM standards for archival storage conditions.

(7) Any reproduction of an original record produced pursuant to the provisions of this subsection shall be treated as a new original record. In that regard, the records retention schedule for the department involved shall be amended to identify the reproduction as an original record.

(8) With respect to a photographic reproduction, the head of each department or office shall cause a certification to be prepared which states that:

- A. Provisions of this Code have been satisfied.
- B. The original document is a record of the City of Los Angeles.
- C. The photographic reproduction is a true and correct copy of the original document.
- D. The photographic reproduction was made under the direction and control of the person signing the certification.
- E. The date on which the reproduction is being made.

Such certification shall be contained within the array of images of the photographic film or other medium of reproduction and shall be signed by the City employee responsible for supervision of the quality control of the film or by the corporate officer or manager of that entity performing the reproduction service who has the authority of the entity to so certify. If said certifying person is not a City officer or employee, then the City officer or employee regularly responsible for the work of photographic reproduction for the document involved shall certify as to the authority of such corporate officer or manager and include that certification in the image or array of images reproduced. If the photographic reproduction is done by a City agency, the City officer or employee signing the certification shall be a person regularly responsible for conducting and supervising a

quality assurance program which includes routine resolution, density and archival stability testing in accordance with current industry standards of good practice.

If the photographic reproduction was done prior to the effective date of this Code section, a certification will be deemed sufficient if it certifies compliance with California Government Code Section 34090.5 or other applicable law, as of the date of the photographic reproduction.

(9) Original Records that have been duplicated in conformity with the standards of Subsection (a), above, may be destroyed on the authority of the department head or the authorized designee.

(b) The City Administrative Officer shall adopt and issue rules and standards with respect to processes, procedures, equipment, media and storage relative to the photographic and electronic reproduction of City records for records retention and/or destruction purposes. These rules and standards shall apply only to reproductions made in contemplation of possible destruction of the original records and shall be developed in consultation with the City Clerk, the City Attorney, the City Engineer, the Information Technology Department and any other department or agency which the City Administrative Officer may deem helpful to assure, to the fullest extent feasible, the adoption of rules and standards that can be economically and efficiently implemented by the City and its departments.

The rules and standards shall provide, among other things, for the method of certifying that individual departmental and office facilities and procedures for the photographic and electronic storage of record images as sufficient to permit the destruction of original records in conformity with the requirements of this Code section.

Prior to adoption of proposed rules and standards, the proposed rules and standards shall be submitted to all affected City departments and offices for their review and said departments and offices shall have up to 30 days therefrom to comment and make recommendations with respect to the rules and standards proposed.

The rules and standards adopted shall reflect industry standards of good practice set forth by ANSI and/or AIIM or equivalent standard setting agencies.

SECTION HISTORY

Based on Ord. No. 132,902.

Amended by: In Entirety, Ord. No. 155,822, Eff. 10-24-81; Subsec. (c), Ord. No. 160,551, Eff. 1-9-86; In Entirety, Ord. No. 168,014, Eff. 7-27-92; Subsec. (b), First Para., Ord. No. 173,288, Eff. 6-26-00, Oper. 7-1-00; In Entirety, Ord. No. 183,754, Eff. 8-11-15.

Sec. 12.5. Disposition of Records.

(a) The department or office head, or his or her designee, may destroy any record under his or her charge in accordance with the retention periods set forth in the Records Disposition Schedule that was approved by the Office of the City Attorney and City Council.

(1) Prior to the destruction of any record the department or office head, or his or her designee, shall make the following determinations:

A. The record is under the management or control of said department head;

B. The retention period stated in the Records Disposition Schedule has been satisfied, or photographic or electronic reproduction of the record has been made and the requirements of determination under Subdivision (2) below have been satisfied;

C. Retention of the record is no longer required:

(i) For operations of that department;

(ii) For operations of the City;

(iii) To satisfy a City Council policy adopted by resolution, or a City Council request; or

(iv) By the City for any other reason known to the department head or authorized designee.

D. The destruction of said record would not violate provisions of the State of California Government Code, [Division 12](#) of this Code, or other applicable law.

(2) In the event the destruction of a record is under consideration, and copies thereof have been made by photographic or electronic reproduction as provided for in Section [12.4](#) of this Code, the head of the department or office involved shall also determine that:

A. At least two physically separate copies exist within the custody of the City, one which is of archival quality and one of which is stored in accordance with Section [12.4](#) of this Code;

B. All conditions set forth in Section [12.4](#) of this Code and all standards and regulations otherwise adopted or required by law have been satisfied; and

C. The head of the department or office has complied with the provisions of City Charter Section [434](#), where applicable.

(3) The head of the department or office shall submit a form to the City Clerk of the records to be disposed and the City Clerk shall review the request to determine that all requirements have been met and shall certify that the record is not needed for historical purposes.

(b) **AUTHORITY TO SUBMIT.**

(1) The head of each department or office shall submit to the City Clerk, and shall thereafter cause to be kept current, exemplars of the signature of said department or office head and of the authorized designee thereof, if any, who shall have the current authority to request the disposal of records.

The authority for, and authenticity of, such exemplars shall be identified and verified to the satisfaction of the City Clerk, and the City Clerk shall maintain a current file and schedule of said signature exemplars, of the requests for destruction of records, and of the certifications submitted.

(c) **FORMS AND REPORTS.**

(1) Requests to dispose of records shall be submitted only on forms supplied by the City Clerk, or on computer generated reports approved by the City Clerk.

(2) All forms shall be completed to the satisfaction of the City Clerk by the department or office head or authorized designee thereof requesting authority to dispose records.

(3) All forms and computer generated reports shall include at least the following information:

A. Description of the department or office and the division, bureau or unit thereof requesting destruction of records;

B. The record's title or subject matter description of the records, or records title, identified in the same manner as elsewhere in this chapter provided for records retention purposes;

C. The physical location of such records;

D. The quantity of such records;

E. The identification numbers of each box or container used to store said records where applicable;

F. Whether the records are originals or duplicates;

G. Dates of each record or inclusive dates of each record series listed for destruction; and

H. Date, job title and signature of the department or office head or authorized designee requesting the destruction of the records.

(4) The forms and/or computer generated reports shall also provide for, and when completed or produced shall include, or have attached thereto, the statements, verifications and certifications required above.

SECTION HISTORY

Based on Ord. No. 132,902.

Amended by: In Entirety, Ord. No. 155,822, Eff. 10-24-81; Subsec. (a), adds (4) Subsec. (d), 2nd sentence of Subdiv. (4), Subsec. (e), last sentence, Ord. No. 157,699, Eff. 6-30-83; In Entirety, Ord. No. 168,014, Eff. 7-27-92; Title and Section In Entirety, Ord. No. 183,754, Eff. 8-11-15.

Sec. 12.6. Use of Descriptive Terms.

Terms used as record titles, classifications, categories, or as descriptions of files on a records retention schedule or any amendment thereto, or on any request for destruction of records or any form or computer generated report applicable to either, shall be descriptive. They shall not include the use of the word "miscellaneous" or "various", or words of similar connotation, nor shall any such schedule or request bearing such nomenclature be submitted to the City Council for its consideration.

SECTION HISTORY

Based on Ord. No. 132,902.

Amended by: In Entirety, Ord. No. 155,822, Eff. 10-24-81; In Entirety, Ord. No. 168,014, Eff. 7-27-92.

Sec. 12.7. Applicability of the Chapter.

The provisions of this chapter shall apply to all departments whose funds, in whole or in part, are provided for in the General City Budget. It is the intent of the City Council that departments using other funds shall also comply with the provisions of this chapter. All departments shall comply with applicable law.

SECTION HISTORY

Added by Ord. No. 155,822, Eff. 10-24-81.

Amended by: In Entirety, Ord. No. 168,014, Eff. 7-27-92.