



AGENDA ITEM NO. 9:30am #1A
 COUNCIL MEETING 10/15/09
 APPROVED BY _____

October 15, 2009

DEPARTMENT DIRECTOR _____

CITY MANAGER _____

FROM: Larry Westerlund, Councilmember
 District Four

SUBJECT: REQUEST COUNCIL ADOPT A POLICY TO STORE AND KEEP AUDIO AND/OR VISUAL RECORDINGS OF COUNCIL PROCEEDINGS, INCLUDING OFFICIAL SUBCOMMITTEE PROCEEDINGS, INDEFINITELY.

RECOMMENDATIONS

I recommend that the Council take the following action:

1. Adopt a citywide policy to store and keep audio and/or visual recordings of the Council proceedings, including official subcommittee proceedings, indefinitely.

EXECUTIVE SUMMARY

On September 23, 2008, Council adopted a resolution prescribing a citywide policy regarding records retention schedule and superseding an earlier records retention resolution (No. 93-139). The new policy was based upon the California Secretary of State's Local Government Records Management Guidelines (Exhibit A to the staff report). One of the policies, perhaps unnoticed in the nearly 70 page report, was a recommendation to keep only one year and three months of audio tape recordings of Council proceedings. As a result, audio tapes of Council proceedings for 16 year from 1992 to 2007 were recently destroyed. While the official minutes of those proceedings are the official legal record of the Council's meetings, those audio recordings provided an invaluable archival history of some enduring value in that they reflect significant events, document the history and development of the City of Fresno and provide valuable research data on the legislative intent on the hundreds of issues brought before the Council every year.

As a result, it is recommended that Council amend the new record retention policy to include a citywide policy to store and keep audio and/or visual recordings of the Council proceedings, including official subcommittee proceedings, indefinitely.

The City Clerk will determine the most efficient and cost effective way to store and keep those audio and/or visual recordings. Nearly all electronic media for record storage has a limited number for years before the media begins to physically break down. This policy merely requires the Clerk to store the media as it is recorded and the Clerk is not required to transfer the audio and/or visual records to another storage media to maintain the records.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, AMENDING RESOLUTION NO.
2008-243 REGARDING THE RETENTION OF AUDIO AND
VIDEO TAPES OF MEETINGS OF COUNCIL AND COUNCIL
SUBCOMMITTEES SET FORTH IN THE RECORDS
RETENTION SCHEDULE FOR THE CITY OF FRESNO.

WHEREAS, Section 34090 et seq. of the Government Code of the State of California provides a procedure whereby certain public records which have served their purpose and are no longer required may be destroyed, and the destruction of said records will not interfere with the services and functions of the City; and

WHEREAS, on September 23, 2008, Council adopted Resolution No. 2008-243 establishing the California Secretary of State Local Government Records Management Guidelines ("Guidelines") as the Citywide Records Retention Schedule for the City of Fresno; and

WHEREAS, Council desires to amend the Citywide Records Retention Schedule so that audio and video tapes of meetings of Council and any recordings of the meetings of the Council subcommittees are retained permanently for its historical and significant community value.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

SECTION 1. PURPOSE.

The purpose of this Resolution is to change the retention period of audio and video tapes of Council meetings, and any recordings of the meetings of Council sub-committees, so that they are kept indefinitely for its historical and significant community value.

SECTION 2. AMEND RETENTION PERIOD OF AUDIO AND VIDEO TAPES OF COUNCIL AND COUNCIL SUB-COMMITTEE MEETINGS TO PERMANENT.

The Council hereby amends Resolution No. 2008-243 regarding the retention period of audio and video tapes of the Council meetings and any tape recordings of Council sub-committee meetings. The retention period appearing on p. C-23 of the Guidelines shall be changed from current year plus 3 months (CU + 3 mos.) to permanent (P).

///

SECTION 3. The City Clerk shall determine the most efficient and cost effective way to store and keep those audio and/or video recordings. The City Clerk is only required to store and keep the recordings in the original form, and is not be required to transfer the audio or video recordings to another form of media to maintain the records.

SECTION 4. Except as otherwise amended in this Resolution, Resolution No. 2008-243 remains in full force and effect.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2009.

AYES :
NOES :
ABSENT :
ABSTAIN :

REBECCA E. KLISCH
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: Tei Yukimoto 10/7/09
Tei Yukimoto, Senior Deputy [date]

TY:pn [51010pn/RESO] -10/6/09