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**OFFICE OF THE CITY CLERK**

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**REPORT**

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**TO THE HONORABLE RULES COMMITTEE**

DATE: June 25, 2008

REPORT NO.: 08-01

SUBJECT: RECORD RETENTION FOR CITY COUNCIL CLOSED SESSION  
MEETINGSISSUE

On Wednesday, April 2, 2008, the Rules Committee directed the City Clerk to work with the City Attorney and Financial Management to research the duty of retaining and maintaining the records from Council Closed Session meetings. The Clerk was asked to return to the Rules Committee no later than July 2008 with an evaluation including a cost analysis of the current contract for a court reporter, the protocol for transcribing and retaining closed session proceedings, and the City Clerk's budgetary needs to assume this responsibility. The Clerk was also asked to benchmark retention practices in other municipalities with regard to Closed Session meeting minutes.

SUMMARY

Prior to the spring of 2000, the City Clerk attended Closed Session, created, and was the official keeper of the minutes. In the spring of 2000, responsibility for the minutes was shifted to the City Attorney and the Clerk no longer attended Closed Session meetings. In 2004, City Council passed an ordinance that required Closed Sessions to be recorded and transcribed by a court certified reporter. Although the Permanent Rules of Council indicate only that, "All transcripts shall be retained" (Rule 8.4) (attachment 1), responsibility for closed session records retention was added to page 7 of the City Attorney's Records Disposition Schedule (attachment 2). Thus, in 2004 it was determined that the transcripts would be kept by the City Attorney and, again, the Clerk would not attend Closed Session or oversee the contract for the court reporter.

Current Costs

The cost of the court-certified reporter for Closed Session was provided by the City Attorney's Office as follows:

Fiscal Year	Cost
2006	\$17,000.32
2007	13,204.05
2008 (through February)	5,259.11
2008 (projection)	7,888.67

Due to the wide range of annual costs, I have provided an estimate of costs based on the hourly rate of the court-certified reporter (attachment 3) as well:

\$250 (most common cost) per meeting x 40 closed session meetings per year (used FY 2007 and 2008 as a guide) = \$10,000 + \$5.50/page x 40 pages of transcript x 40 meetings = \$8,800

Total = \$18,800

#### Benchmarking

Twenty-one cities were contacted and were asked about the role of the City Clerk and Closed Session records (attachment 4). Of those cities surveyed, thirteen either have minutes or some sort of record that is generated from closed session meetings. In 9 of those cities, the minutes or the closed session record are kept by the City Attorney.

#### Records Issues

The City of San Diego's Charter Section 38 outlines the duties of the City Clerk. It notes (in part) that "He shall maintain all official records of the City, the custody of which is not provided for in this Charter..." (attachment 5).

The City's Municipal Code provides details about the role of the City Clerk in administering a uniform Records Management Program and in assisting Departments to this end (attachment 6). Each City Department has a Records Disposition Schedule and is responsible for ensuring records included in the schedule are properly maintained. City Departments work closely with the Clerk's Office to accomplish this, but custody of those records remains with the department in question unless and until the records are transferred to the Clerk's Records Center.

Items that go before City Council in Closed Session have been generated by the City Attorney's Office. When those items resolve themselves in Open Session they become a part of the City's Official Record and are maintained by the Office of the City Clerk. Items that never resolve in open session, and the accompanying back-up material are maintained by the City Attorney's Office and are addressed in the Records Disposition Schedule for that department.

## Options

There are several possible options for the Rules Committee to consider with regard to Closed Session minutes. It should be noted that there are a variety of potentially related issues pertaining to closed session agendas, binder material and distribution that are not being addressed as part of this report. Given the direction that came out of the Rules Committee on April 2, 2008, this report confines its content specifically to the closed session minutes.

### *Option 1 – Remain the Same*

The current practice is as follows:

- Attendance: City Attorney attends Closed Session.  
City Clerk does not attend Closed Session.
- Transcript: Created by a court-certified reporter at the request of the City Attorney's Office.  
City Attorney oversees this contract.
- Custody of Records: City Attorney has custody of Closed Session Records - per Records Disposition Schedule.

### *Option 2 – Minimal Change*

- Attendance: City Attorney attends Closed Session.  
City Clerk does not attend Closed Session.
- Transcript: Created by a court-certified reporter at the conclusion of every Closed Session Meeting.  
City Clerk oversees this contract.
- Custody of Records: City Clerk has custody of Closed Session Records.
- Considerations: Official attendance would need to be taken at each Closed Session Meeting and provided to the City Clerk. This would allow the Clerk to quickly ascertain attendees without having to inspect the transcript.  
There would need to be a system for alerting the Clerk to the Closed Session schedule in order to arrange for coverage by the court-certified reporter.

*Option 3 – Major Change*

Attendance: City Attorney attends Closed Session.  
City Clerk attends Closed Session.

Transcript: Created by the Office of the City Clerk.

Custody of Records: City Clerk has custody of Closed Session Records.

Considerations: The Clerk would require staffing, or at least Overtime to compensate staff for this additional duty.

  
Elizabeth Maland  
City Clerk

## (2) Conference with Real Property Negotiators

Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation) Agency negotiator: (Specify names of negotiators attending the closed session) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.) Negotiating parties: (Specify name of party (not agent)) Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

## (3) Conference with Legal Counsel – Existing Litigation

Name of case: (Specify by reference to claimant's name, names of parties, case, or claim numbers) Or Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations.)

- (d) In open session, before public comment or Council discussion of any closed session item, the City Attorney or appropriate staff shall provide an oral update or progress report on matters under litigation, real property negotiations, or employee unit bargaining.

**8.2. Public Participation**

The public shall have the opportunity to directly address the Council on any closed session item on the agenda, prior to Council questions and discussion on the item and after the oral report by the City Attorney or appropriate staff.

**8.3. Council questions and discussion in Open Session**

At the regular or special meeting of the Council, the Mayor and Councilmembers shall have the opportunity to discuss the basis for convening into closed session, ask questions, and respond to questions from the public.

**8.4. Transcription of Closed Sessions**

All closed sessions shall be transcribed by a court certified reporter. All transcripts shall be retained.

**8.5. Reporting of Closed Session Results in Open Session**

- (a) After every closed session, if a public report of any final action taken in closed session is required as set forth herein, the Council shall adjourn from closed session, reconvene in open session, and publicly report such final action and the vote or abstention of every member present as follows:

**CITY OF SAN DIEGO  
RECORDS DISPOSITION SCHEDULE**

DEPARTMENT:  
**CITY ATTORNEY**

DIVISION:  
**CIVIL**

SCHEDULE NO.  
**1**

Revised  
Date:  
**12/12/2000**  
Page: 7

Record Series No.	Title and Description of Record Series	Dept.	Record Center	Total	Remarks
6.	<b>CITY ATTORNEY WORK ASSIGNMENT SHEETS (BLUE SHEETS).</b> Records of special assignments given to staff for response. Contents of these files include Route Slips (Form No. CM-8), Parking Citations, Complaint Forms (Form No. CA-244), case information, and correspondence. Blue Sheets are cover forms with assignment information. Arranged chronologically by year.	2	-	2	
6A.	<b>CITY COUNCIL MINUTES - CLOSED SESSIONS.</b> Files consist of the minutes of the meetings plus supporting memoranda and reports relating to the items considered at the sessions. Closed sessions deal with litigation, personnel matters, and other matters permitted by Government Code Sections 54956.7 et seq. Arranged chronologically.	Keep in secure storage until there is a full box of finalized minutes. Tape boxes securely closed before sending to Records Center.	Permanent	Permanent	(ADDED) These are confidential records to be made available only to members of the City Council or to a court of general jurisdiction within San Diego County. NOTE: Any retrieval request must be for unopened full box.
7.	<b>CIVIL CASE FILES - PERMANENT</b> are records of civil litigation in which the City is a party. These cases fall into three categories. 1) Cases in which the City is the defendant - covering areas such as subsidence, property/water, negligent maintenance, approval, inspection, construction); miscellaneous property torts, inverse condemnations, breach of contracts, stop notices, injunctions and declaration and relief; and petitions for writ of mandate. 2) Suits in which the City acts as a plaintiff - including condemnations, condemnation projects; breach of contracts and stop notices. 3) Cases involving the Public Utilities Commission. Contents of these files include: answers, complaints, dismissals, motions, settlement agreements, notices, orders, stipulations, declarations, arbitrations, mediations, trial briefs, discovery, depositions, subpoenas, request for records, request for production of documents, request for admissions, exhibits, summons, copies of resolutions, proof of service, jury fee deposit, request for dismissal, and jury verdict. Arranged numerically by 8 digit case number with the first 2 digits representing the year in which the case was generated.	Closed	Permanent	Permanent	(REVISED)

**COURT REPORTING FEES**Ballerini Court Reporters

1202 Kettner Blvd, Ste. 6100

San Diego, CA 92101

619-544-0100

Per Diem: \$250.00  
 Page Rate: \$ 5.50  
 Real Time Page Rate: \$ 6.75  
 Delivery Fee: \$ 40.00

Todd Olivas & Associates4660 La Jolla Village Drive, 5<sup>th</sup> Fl

San Diego, CA

Per Diem Rate: \$275.00  
 Page Rate: \$ 5.75 to \$6.75 (depends on complexity)  
 Real Time: No extra charge

Lynden J. and Associates Inc.

San Diego, CA

800-972-3376

Per Diem Rate: \$256.00  
 Page Rate: \$ 5.50  
 Handling Fee: \$ 35.00  
 After 5:00 p.m. \$ 30.00 per hour  
 Non-Appearance: \$200.00

Veritext

402 West Broadway, suite 1910

San Diego, Ca 92101

Per Diem Rate: \$250.00  
 Page Rate: \$ 4.25  
 Real Time Page Rate: \$ 1.25 extra  
 Non-Appearance: \$250.00 (2-hr cancellation policy)  
 Overtime: \$ 50.00 per hour (before 9:00 a.m. and after 5:00 p.m.)  
 Handling Fee \$ 45.00

Cleaves and Associates

420 West Broadway, Suite 1240

San Diego, CA 92101

Per Diem Rate: \$250.00 (first hour)  
 \$ 50.00 (per hour after first hour)  
 Page Rate: \$ 6.00  
 Real Time Page Rate \$ 1.25 extra  
 Non-Appearance: \$150.00 (2 hour cancellation notice required for no charge)  
 Handling Fee \$ 25.00

# Closed Session Benchmarking

City	Clerk Attends?	Who Keeps Minutes?	Other info	Charter City	Duties Described
San Jose	No - takes roll/leaves	City Attorney	Not Recorded	Yes	Yes
Sacramento	No	City Attorney		Yes	Yes
Fresno	Yes	City Clerk	Not Recorded	Yes	Yes
Long Beach	No - takes roll/leaves	City Attorney reports during open session	Not Recorded	Yes	Yes
Oakland	Yes	City Clerk	Not Recorded	Yes	Yes
Anaheim	No	City Attorney		Yes	Yes
Orange	No	City Attorney		No	N/A
San Francisco	Yes - Clerk Records Mtg	No Minutes - City Attorney keeps Tape		Yes	Yes
Santa Ana	Yes - Clerk takes notes	No Minutes - report during open session		Yes	Yes
Riverside	Yes	City Clerk	Meetings are Recorded	Yes	Yes
El Cajon	No	No Minutes		No	N/A
Santee	No	No Minutes		No	N/A
Visia	No	City Attorney prepares CS Report	Not Recorded	No	N/A
Escondido	No	No Minutes - City Attorney keeps file	Not Recorded	No	N/A
Solana Beach	No	No Minutes - reports during open session	Not Recorded	No	N/A
Chula Vista	No	City Clerk	Not Recorded	Yes	
Oceanside	No	City Attorney	Not Recorded	No	N/A
Carlsbad	No	City Attorney	Not Recorded	No	N/A
Del Mar	No	No Minutes - City Attorney keeps record	Not Recorded	Yes	No (by ordinance)
National City	No	City Attorney	Not Recorded	No	N/A
Coronado	No	No Minutes - City Attorney Reports	Not Recorded	No	N/A

The Purchasing Agent shall keep a record of all sources of supply, of all quotations received, of all awards made, of all inspections, of all requisitions filed, and of all vendors furnishing commodities to the City. He shall perform such other duties as may be prescribed by general law or ordinance or by the Manager.

*(Amendment voted 03-10-1953; effective 04-20-1953.)*

*(Amendment voted 11-04-1958; effective 02-19-1959.)*

*(Amendment voted 11-04-1975; effective 12-1-1975.)*

**Section 36: City Engineer**

*(Repeal voted 09-17-1963; effective 02-11-1964.)*

**Section 37: Personnel Director**

The Personnel Director shall be appointed by the Civil Service Commission and shall have all powers and perform all duties prescribed for such Personnel Director in Section 116 of Article VIII. In addition thereto he shall exercise general supervision over the employment policy of the City, subject to the Civil Service provisions of this Charter and the directions of the Civil Service Commission. He shall keep a record of the personnel conditions in the City service and shall, upon the request of the Manager or of the Civil Service Commission, or on his own initiative, investigate problems relating to the securing of a better class of applicants for positions, and to the maintenance of efficiency among City Employees, and to any and all other matters relating to this department as may properly come before him.

The Personnel Director, with the approval of the Civil Service Commission and the Manager shall have jurisdiction to investigate working conditions of City service as they affect the health, welfare, efficiency, service and esprit de corps of the employees. He shall be accessible to any employee who shall desire to complain of any matter incident to his employment.

**Section 38: City Clerk**

The City Clerk shall be elected by the Council for an indefinite term and shall serve until his successor has been elected and qualified. He shall maintain all official records of the City, the custody of which is not provided for in this Charter or by ordinances of the City, including the journal of all proceedings of the Council and all its ordinances and resolutions.

*(Amendment voted 09-17-1963; effective 02-11-1964.)*

**Section 38.1: Microfilming of Records.**

*(Addition voted 04-19-1949; effective 05-20-1949.)*

*(Repeal voted 11-04-1958; effective 02-19-1959.)*

**Article 2: Administrative Code****Division 26: Procedures Governing the Management of City Records**  
*("Procedures Governing the Management of City Records"*  
*added 6-18-1982 by O-15761 N.S.)***§22.2601 Purpose and Intent**

It is the purpose and intent of this Division to establish procedures for the management of City records.

*("Purpose and Intent" added 6-14-1982 by O-15761 N.S.)*

**§22.2602 Policy**

The policy of the City of San Diego is to provide for efficient, economical, and effective controls over creation, distribution, organization, maintenance, use, and disposition of all City records.

*("Policy" added 6-14-1982 by O-15761 N.S.)*

**§22.2603 Authority**

The City Clerk shall be responsible for the administration of a uniform Records Management Program assisting all City departments.

*("Authority" added 6-14-1982 by O-15761 N.S.)*

**§22.2604 Definitions**

For the purpose of this Division the following definitions shall apply and appear in italicized letters.

*"Appraisal"* means the process of determining the value and thus the *disposition* of *records* based upon their (1) administrative, legal, fiscal, and historical uses; (2) relative activity; (3) relationship to other *records*; and (4) evidential and informational value.

*"Disposition"* means actions taken with regard to *records* and *nonrecords* following their *appraisal*. These actions include the transfer of inactive *records* to the Records Center or the destruction of *records* or *nonrecords* no longer required in the course of the City's business.

*"Duplicate record"* means copies or reproductions of *original records*, whether or not the same physical form as the original, which are retained

for personal reference or for operational requirements.

*"Maintain"* means provide custody and care for a *record*.

*"Nonrecord"* means material which is not retained in the regular course of business or is a temporary aid, not created for the purpose of preserving its own documentary or informational content for future reference. This includes but is not limited to:

- (1) Transmittal letters and acknowledgments which do not add any information to the material transmitted.
- (2) Requests for printed material after the requests have been filled.
- (3) Informal notes, worksheets, and rough drafts of letters, memoranda, or reports that do not represent basic steps in the preparation of documents.
- (4) Shorthand notes, including stenographic notebooks and stenotype tapes, and dictating media which have been transcribed.
- (5) Miscellaneous notices of community affairs, employee meetings, or holidays.
- (6) Stocks of publications or unused blank forms that are kept for supply purposes only.
- (7) Tickler, follow-up, or suspense copies of correspondence.
- (8) Extra copies of documents already in an official file.
- (9) Publications or reference materials received or acquired from outside sources such as professional organizations, conferences, seminars, or workshops.
- (10) Library and museum materials made or acquired and preserved solely for reference or exhibition purposes.

*"Official record"* means any *record* containing information relating to the conduct of the public's business prepared, owned, used, or retained by any City department regardless of physical form or characteristics.

*"Original record"* means the first or initial documentation, that of which anything else is a copy or reproduction; or, a *duplicate record* with any original documentation.

"Record" includes all books, papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documentary material regardless of physical form or characteristics, produced, received, owned or used by a City department and preserved because of the informational value of data in them or as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the City.

"Record copy" means a reproduction of an *original record* which is retained in lieu of the *original record* as the *official record* of the City.

"Records Disposition Schedule" means a listing of *records series* in the City or by department, indicating for each series the length of time it is to be *maintained* in office areas and in the Records Center. The Schedule constitutes authority for the destruction of *records* listed thereon, after required retention periods have lapsed.

"Record series" means file units or documents arranged in accordance with a filing system or *maintained* as a unit because they relate to a particular subject or function, result from the same activity, have a particular form, or because of some other relationship arising out of their creation, receipt, or use. *Record series* may consist of *records* of a single type or format and can be described, handled, and disposed of or retained as a unit.

"Writing" includes handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents, retained in the ordinary course of business. *Writings* are *record* or *nonrecord* material.

(Amended 10-13-2003 by O-19219 N.S.)

## §22.2605 Records Disposition Schedule

The *Records Disposition Schedule* will serve as the basis for the City's Records Management Program. The City Clerk, in conjunction with the City Attorney, shall develop a General *Records Disposition Schedule* for the *records* common to most departments. The head of each department shall have prepared a *Records Disposition Schedule* for the unique *records* of his/her department and any subsequent proposed amendments thereto. With the assistance of the Records Management Officer, this preparation shall include:

- (a) A physical inventory and *appraisal* of all *records* to determine their administrative, fiscal, legal and historical value.
- (b) Identification of an *official record series* title for all department *records* and specific and accurate descriptions of *records* listed thereunder in accordance with guidelines developed by the City Clerk. Terms used as *record series* titles or as description of files on the *Records Disposition Schedule* or any revision thereto, shall be descriptive. They shall not include the use of the words "miscellaneous" or "various," or words of similar connotation; nor shall any such schedule or request bearing such nomenclature be submitted to the City Clerk and the City Attorney for their consideration and approval.
- (c) A periodic review or audit of *records* to make sure they are properly covered by the *Records Disposition Schedule*.

Following the review or audit, the City Clerk will be notified of any proposed amendments to the *Records Disposition Schedule* that are needed. Such amendments may include the addition of new *record series* titles to the *Records Disposition Schedule*, or requests to have superseded *record series* titles removed from the *Records Disposition Schedule*.

Final approval of the General *Disposition Schedule* shall require the written consent of the City Clerk and the City Attorney. The General *Records Disposition Schedule* must then be approved by the City Council by resolution. Amendments and revisions thereto shall require the written consent of the City Attorney and the City Clerk.

Final approval of the *Records Disposition Schedule* for individual departments shall require the written consent of the department head, the City Attorney, and the City Clerk. The *Records Disposition Schedule* for the department must then be approved by the City Council by resolution. Amendments and revisions thereto shall require the written consent of the department head, the City Attorney, and the City Clerk.  
(Amended 10-13-2003 by O-19219 N.S.)

**§22.2606 Responsibilities**

- (a) The City Clerk shall:
  - (1) Be responsible for the maintenance of and access to:
    - (A) The official records of his/her office, as identified in the Records Disposition Schedule of the Clerk's Office.

- (B) Newly created or unidentified record series in his/her office which are not identified in the Records Disposition Schedule of the Clerk's Office or any other department.
  - (C) Official Records which are part of a City Archives.
  - (D) Official Records located in an off-site storage location specifically designated for the storage of vital City records, during the time those records are located in vital records storage.
  - (E) Any Official Records in the custody of the City which are not the responsibility of any other department, as specified in paragraph C below.
- (2) Be responsible for the preservation of and the assignment of the maintenance of and access to inactive records which have been transferred to non-City organizations.
  - (3) Not be responsible for the maintenance of records which are legally maintained by other government agencies.
  - (4) Be responsible for the administration of a uniform Records Management Program assisting all City departments, and for the development, administration and coordination of procedures thereunder.
  - (5) Administer a City Archives for the maintenance of historically significant City records. Providing that the responsible department does not object within thirty days of notification, the City Clerk may transfer to the City Archives records having permanent historical value as noted in the Records Disposition Schedule.
  - (6) Administer a Records Center for the efficient and economical storage, maintenance and servicing of inactive City records.
  - (7) Appoint a Records Management Officer who shall serve in the Office of the City Clerk as the head of the Records Management Program.
- (b) The Records Management Officer under the direction of the City Clerk shall:

- (1) Provide effective control over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of all City Records. This shall include:
    - (A) Providing assistance and guidelines to departments in the preparation of their Records Disposition Schedules and amendments thereto.
    - (B) Establishing proper procedures for securing necessary revisions to the Records Disposition Schedule, with the approval of the City Attorney. (c) Providing direct technical assistance and guidance to departments that will aid in resolving specific files and related records problems.
  - (2) Operate the Records Center in an orderly and efficient manner. This operation shall include:
    - (A) Providing information, assistance and records to using departments to insure optimum utilization of the Records Center.
    - (B) Notifying using departments periodically when records held by the Records Center are eligible for destruction.
    - (C) Causing to be destroyed records held by the Records Center. Destruction shall occur only after thirty days following notification of the destruction to the responsible department head. If, within that thirty day period, the responsible department head makes a valid request for delaying the destruction of the records, the Records Management Officer may delay the destruction of the records or return them to the department for review. Records so returned shall be retained by the responsible department until such time that the department destroys the records or revises the Records Disposition Schedule.
  - (3) Operate a City Archives in an orderly and efficient manner.
- (c) Each department head shall:
- (1) Be responsible for the maintenance of and access to:

- (A) Except as specified in (a)(1)(C) and (D), the Official Records of his/her department, as identified in the department's Records Disposition Schedule.
  - (B) Newly created or unidentified record series in the department's custody which are not identified in the Records Disposition Schedule of the department or any other department.
- (2) Be responsible for ensuring the safety of valuable historical City records in his/her custody. If said records are original and sole copies, and use of records endangers their ultimate preservation, the department head shall ensure that copies are made and used in place of the originals.
  - (3) Cooperate with the City Clerk to assure proper administration and implementation of the City's Records Management Program.
  - (4) Ensure the proper application of the Records Disposition Schedule to his/her department's records.
  - (5) Ensure that records are transferred to the Records Center for storage at the end of the office retention period listed in the Records Disposition Schedule.
  - (6) Review the Records Disposition Schedule and recommend to the City Clerk any amendments thereto which are necessary due to changing requirements.
  - (7) Comply with procedures mentioned in this ordinance regarding the destruction of records and nonrecords.
  - (8) Appoint a Records Coordinator to serve as liaison between the Records Management Officer and the department and to assist in the implementation of the Records Management Program.

*(Amended 5-26-1987 by O-16869 N.S.)*

**§22.2607 Destruction of Records**

(a) Eligibility

No record shall be destroyed until it has been properly inventoried, appraised, and entered in the Records Disposition Schedule. Furthermore, before a record

is eligible for destruction, the department head must first make the following determinations:

- (1) Required retention periods listed in the Records Disposition Schedule have lapsed.
- (2) The record is maintained by said department.
- (3) The record is no longer required to fulfill any administrative, fiscal, legal, or historical interests of the City or the public.
- (4) The record series title is descriptive and does not include the use of the words "miscellaneous" or "various," or words of similar connotation.

(b) Procedures

Before records are destroyed, the department head shall:

- (1) In compliance with the Records Disposition Schedule, exercise a final review over all records eligible for destruction for the purpose of determining any further administrative, fiscal, legal, or historical needs.
- (2) Ensure that if the Records Disposition Schedule does not specify records for transfer to the Records Center, the records shall be destroyed at the end of the listed office retention period in compliance with the Records Disposition Schedule.
- (3) Ensure that if the Records Disposition Schedule does specify records for transfer to the Records Center, and this has not occurred, the records shall be destroyed, providing they have exceeded their total retention requirement (office plus Records Center).
- (4) Destroy duplicate records and nonrecords when they are no longer needed in the course of the City's business.

*("Destruction of Records" added 6-14-1982 by O-15761 N.S.)*

**§22.2608 Copies of Documents**

The City Manager is authorized to furnish to any person copies of any official record, document or paper of the City upon payment of the required fee.

- (a) The City Manager is authorized to establish fees for copies of requested records, documents or papers. The fees shall be calculated to recover the direct cost of reproducing the copies. Sales tax may be included or excluded from the established fee.
- (b) The City Manager shall maintain an up-to-date schedule of fees which shall be filed and available for inspection in the office of the City Clerk.  
*("Copies of Documents" amended and renumbered from Sec. 22.0103 on 10-2-1995 by O-18214 N.S.)*

**§22.2609 Free Copies of Documents**

The City Manager is hereby authorized to furnish a limited number of copies of any official record, document or paper of the City free of charge in the following cases:

- (a) Any governmental agency or any public officer acting in his official capacity.
- (b) Any nonprofit corporation or civic organization.
- (c) Any person engaged in the performance of work at the City's request where such copies of such records, documents or papers are required by such person in order to perform that work.
- (d) Bona fide students or teachers engaged in research projects.
- (e) Any paper deemed by the Manager as promotional in nature for the City.
- (f) Documents prepared especially for presentation to the general public for its convenience and information.

*("Free Copies of Documents" renumbered from Sec. 22.0104 on 10-2-1995 by O-18214 N.S.)*