

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 General Purpose

This Division establishes a *Records Management Program* that complies with local, state, and federal laws and regulations relating to the retention and disposition of public records, and which shall also be subject to the City Clerk’s Administrative Guidelines Section 65: Records Disposition.

*(“Purpose and Intent” added 6–14–1982 by O–15761 N.S.)
(Retitled to “General Purpose” and amended 11-27-2012 by O-20221 N.S.;
effective 12-27-2012.)
(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)*

§22.2602 Definitions

For the purpose of this Division, the following definitions shall apply. Defined terms appear in italics.

Appraise means the process of evaluating *records* to determine their *retention period* based on administrative, legal, operational, fiscal, and historical value.

City Clerk Archives means the location used by the City Clerk for keeping the City of San Diego’s identified *historical records*.

Department means every City department, including the City Council District offices.

Department Retention File Plan is a list of *record series* derived from the *Master Records Schedule* applicable to a City *department*.

Disposition means a final administrative action taken with regard to *records* following their *appraisal*, including transfer from a *department* to the City Clerk’s records center, permanent preservation, and destruction.

Duplicate record means a reproduction of an original *record*, regardless of whether the *duplicate record* is in the same physical form as the original.

Historical record means a *record* worthy of continued preservation because of its administrative, legal, operational, fiscal, or historical content.

Legal hold means a communication issued by the City as a result of current or anticipated litigation, a notice of audit, or a government investigation.

Master Records Schedule is a citywide comprehensive retention schedule that categorizes *record series* by business function.

Nonrecord means a *record* which is not required to be retained in the ordinary course of City business or is a temporary aid and does not appear in the *Master Records Schedule*. *Nonrecords* include, but are not limited to, the following:

- (1) Brochures, catalogs, pamphlets, and other documents usually received by mail that have no substantive value to the City.
- (2) Electronic mail, instant messages, and voicemail that are not created for the purpose of preserving documentary or informational content for future use by the City.
- (3) Information received by the City from electronic mailing lists, services, third parties, and news groups.
- (4) Notes, worksheets, and rough drafts used as temporary aids by City staff for their convenience and not retained in the ordinary course of business.
- (5) Blank or obsolete copies of purchase requisitions, travel reimbursement requests, and other forms that would be considered *records* when completed for a specific business purpose.
- (6) Materials and publications, such as copies of books or periodicals, that are acquired and maintained solely for general reference purposes rather than to support a specific City operation.
- (7) Extra copies of documents already maintained in an official file.

Record means recorded information of any kind and in any form, created or received by the City that is evidence of its operations. *Records* include paper and electronic documents, electronic databases, electronic mail, correspondence, forms, photographs, film, sound recordings, maps, and other documents that have administrative, legal, operational, fiscal, or historical value requiring retention of the *record* for a specified period of time.

Records Management Program means a systematic method of tracking *records* from creation, use, and maintenance to their final *disposition* through a classification and filing system.

Records series means a group of logically related *records* that typically consist of multiple documents, folders, or items which are used, indexed, or filed together, sent to storage upon becoming inactive, or not otherwise retained.

Retention period means the length of time a *record* must be kept to meet administrative, legal, operational, fiscal, or historical requirements.

Vital record means any recorded information that is essential for the continuation of a department's core functions in the event of a disaster or to protect the rights of the City and its citizens.

(“Policy” added 6–14–1982 by O–15761 N.S.)
(Renumbered from former Section 22.2604, and amended 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2602 repealed.)
(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

§22.2603 City Clerk’s Responsibilities

The City Clerk’s responsibilities include:

- (1) Administration of the *Records Management Program*;
- (2) Development and circulation of policies and procedures pertinent to the *Records Management Program*;
- (3) Annual *records* training for *records* coordinators;
- (4) Training every three (3) years for *records* coordinators regarding updates to the *Department Retention File Plan*;
- (5) Maintenance and oversight of the *Master Records Schedule*;
- (6) Operating the City Clerk’s records center; and
- (7) Operating the *City Clerk Archives* for access, determining which *records* to include in the *City Clerk Archives*, and preserving the City of San Diego’s *historical records*.

(“Authority” added 6–14–1982 by O–15761 N.S.)
(“City Clerk’s Responsibilities” added 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2603 repealed.)
(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

§22.2604 Department Director’s Responsibilities

Department directors are responsible for appointing a *records* coordinator for their *department*, and for ensuring the *department* meets its legal responsibilities under the *Records Management Program*, which includes systematic control of *records* from their creation, maintenance, and use to final disposition. The *department* director is responsible for ensuring that the *Department Retention File Plan* fully complies with legal and statutory requirements as outlined within applicable Council Policies, the *Master Records Schedule*, the Administrative Regulations, and the City Clerk’s Administrative Guidelines. The *department* director’s responsibility includes archiving *historical records* and preserving *vital records*.

*(Amended 10-13-2003 by O-19219 N.S.)
 (“Department Director’s Responsibilities” added 11-27-2012 by O-20221 N.S.;
 effective 12-27-2012. Former Section 22.2604, renumbered to Section 22.2602)
 (Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)*

§22.2605 Master Records Schedule

- (a) The City Council is required to approve the *Master Records Schedule* and any amendments to the *Master Records Schedule* that add *record series* or change retention periods.
- (b) After adoption of a *Department Retention File Plan*, a *department* director may authorize destruction of any *record* under his or her charge in accordance with the *retention periods* set forth in the *Master Records Schedule*.
- (c) A *Department Retention File Plan* may be amended consistent with the *Master Records Schedule*, with the approval of the *department* director and City Clerk, and legal review by the City Attorney.

*(Amended 10-13-2003 by O-19219 N.S.)
 (Amended 11-27-2012 by O-20221 N.S.; effective 12-27-2012.)
 (Retitled from “Records Disposition Schedule” to “Master Records Schedule” and
 amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)*

§22.2606 Retention of Records

- (a) *Records*, including but not limited to the following, shall be permanently retained:
 - (1) *Records* required to be permanently retained under state law;
 - (2) The minutes, ordinances, or resolutions of the City Council or of a City board or commission; and

- (3) Records required to be permanently retained under the *Master Records Schedule*.
- (b) *Records* for which a *retention period* is defined by local, state, or federal law or regulation shall be kept pursuant to that authority's stated *retention period* and the *Master Records Schedule*.
- (c) All *records* shall be retained in accordance with the *retention periods* set forth in the *Master Records Schedule*, or until termination of a *legal hold*.
- (d) The City shall follow state law regarding best practices for storing and maintaining *records* with a retention period of ten years or less in electronic media. This section (d) shall be interpreted in a manner consistent with California Government Code section 12168.7 and California Code of Regulations sections 22620.1 through 22620.8, or any amendments thereto. These provisions of state law are incorporated by reference as if fully set forth herein.
- (e) Paper *records* are the official *records* of the City Clerk's record center.
(Amended 5-26-1987 by O-16869 N.S.)
("Retention of Records" added 11-27-2012 by O-20221 N.S.; effective 12-27-2012.
Former Section 22.2606 repealed.)
(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

§22.2607 Non-Retention of Records

- (a) A *record* shall be inventoried, *appraised*, and identified in the *Master Records Schedule* before a *department* director may determine whether to retain the *record*.
- (b) *Department* directors shall transfer *records* to the City Clerk's *records* center at the conclusion of their operational use in accordance with their *Department Retention File Plan*.
- (c) *Department* directors shall not retain *records* beyond the retention period unless a *legal hold* exists, if otherwise required by law, or if the *records* have been transferred to the City Clerk's Archives as *historical records*.
- (d) *Department* directors shall destroy *records* at the end of a *retention period* as described in the *Master Records Schedule*.
(“Destruction of Records” added 6-14-1982 by O-15761 N.S.)
("Non-Retention of Records" added 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2607 repealed.)
(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

§22.2608 **Copies of Records**

Copies of disclosable *records* shall be furnished to any person upon payment of any applicable copying or reproduction fee.

(“Copies of Documents” amended and renumbered from Sec. 22.0103 on 10-2-1995 by O-18214 N.S.)

(Retitled to “Copies of Records” and amended 11-27-2012 by O-20221 N.S.; effective 12-27-2012.)