

City of Isleton

City Council Staff Report

DATE: March 8, 2022

ITEM#: 4.A

CATEGORY: Communications

CITY COUNCIL COMMUNICATIONS

SUMMARY

City has received the following communications:

- A. County of Sacramento, Order of Health Officer, Rescission of face coverings, February 16, 2022 and County of Sacramento, Order of Health Officer, Rescission of public meetings, February 16, 2022.
- B. Consideration of the use of lifesaving PulsePoint app in our community.
- C. Apportioned Cost Recovery for New Property Tax System.

FISCAL IMPACT

None

RECOMMENDATION

Information only.

ATTACHMENT

- County of Sacramento, Order of Health Officer (2)
- Consideration of the use of lifesaving PulsePoint app in our community.
- Apportioned Cost Recovery for New Property Tax System.

Prepared and Submitted by: Yvonne Zepeda, Deputy City Clerk __
Reviewed by: Charles Bergson, City Manager __



RESCISSION OF ORDER OF THE HEALTH OFFICER OF THE COUNTY OF SACRAMENTO DIRECTING ALL INDIVIDUALS IN THE COUNTY TO WEAR FACE COVERINGS INDOORS IN WORKPLACES AND PUBLIC SETTINGS

DATE OF RESCISSION: February 16, 2022

Effective immediately, the Order of the Health Officer issued July 29, 2021 directing all individuals in Sacramento County to wear face coverings indoors in workplaces and public settings is rescinded. Individuals should continue to follow all California Department of Public Health (CDPH) guidance and requirements and are reminded that CDPH continues to require face coverings in specific settings throughout California, including public transit, indoors in K-12 schools and childcare, emergency shelters and cooling/heating centers, healthcare settings, State and local correctional facilities and detention centers, homeless shelters, and long term care setting and adult and senior care facilities (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>).

Under the CDPH Order, masks remain required for unvaccinated individuals in indoor public settings and businesses, such as retail, restaurants, theaters, family entertainment centers, meetings, and State and local government offices serving the public. Fully vaccinated individuals are recommended to continue indoor masking when the risk may be high. Surgical masks or high-level respirators (e.g. N95, KN95, KF94) with a good fit are highly recommended.

The Health Officer will continue to assess COVID-19's evolving impact on our community and may re-issue a face covering order as changing circumstances dictate.

IT IS SO ORDERED:

Olivia Kasirye MD

Olivia Kasirye, MD, MS
Health Officer of the County of Sacramento

Dated: February 16, 2022



RESCISSION OF ORDER OF THE HEALTH OFFICER OF THE COUNTY OF SACRAMENTO DIRECTING ALL PUBLIC MEETINGS IN THE COUNTY TO OCCUR VIRTUALLY AND ENCOURAGING WORKPLACES TO CONDUCT MEETINGS REMOTELY AS BUSINESS NEEDS PERMIT

DATE OF RESCISSION: February 16, 2022

Effective immediately, the Order of the Health Officer issued January 6, 2022 directing all public meetings in Sacramento County to occur virtually and encouraging workplaces to conduct meetings remotely is rescinded. Individuals should continue to follow all California Department of Public Health guidance and requirements.

In workplaces, employers are subject to the Cal/OSHA COVID-19 [Emergency Temporary Standard \(ETS\)](#) or for some workplaces the Cal/OSHA [Aerosol Transmissible Diseases \(ATD\) Standard](#) and should consult those regulations for additional applicable requirements.

The Health Officer will continue to assess COVID-19's evolving impact on our community and may re-issue a public meeting or workplace order as changing circumstances dictate.

IT IS SO ORDERED:

Olivia Kasirye MD

Olivia Kasirye, MD, MS
Health Officer of the County of Sacramento

Dated: February 16, 2022



County of Sacramento

January 31, 2022

Re: Apportioned Cost Recovery for New Property Tax System

Cities and Special Districts,

The County of Sacramento (County) recently launched a project to replace our current property tax system. Our existing system was developed nearly 40 years ago and relies on outdated mainframe computer systems/programs. The technology is antiquated and cumbersome, and support options have grown increasingly scarce and expensive. This project will update the property tax system to current technology standards and eliminate our reliance on dwindling support options. The County expects to achieve long-term efficiencies and cost savings by making this current technology investment. Additionally, a new property tax system will provide modern reporting capabilities, automation of processes and a safeguard to the administration of this vital source of revenue for local governments throughout the County.

Replacing the property tax system requires a substantial investment by the County (currently budgeted at \$34 million). State law (specifically, Senate Bill 2557 passed in 1990, currently codified in Revenue and Taxation Code section 95.3), allows counties to apportion property tax administration costs among *all* governments receiving property tax revenue in proportion to their share of revenue. Subsequent legislation prohibited counties from charging Schools (Office of Education, school districts, community college districts, etc.), which effectively shifted the Schools' share of these cost to the counties. Since Schools receive approximately one-half of property tax revenue, the County bears roughly two-thirds of the cost (50% schools share plus 16% county share). Cities and special districts continue to bear their proportionate share of costs (approximately one-third of total costs).

How will this project affect the property tax administrative costs to cities and special districts?

The County currently recovers property tax administration costs when revenue is distributed after the December 10 and April 10 payment due dates. Currently, this cost is about 1% of the revenue received by each district. The new property tax system is a large project which is expected to substantially increase property tax administration costs to cities and special districts during an approximate 2–3 year project acquisition and implementation period. The timing of these costs are dependent on a number of factors including the final contract provisions as well as progress in achieving certain milestones. Nevertheless, we expect very little of the cost of this project in the current fiscal year 2021-22. We anticipate the majority of costs to be incurred in fiscal years 2022-23 and 2023-24,

during which the property tax administration costs to cities and special districts could possibly double from 1% to 2% of revenue received. State law (SB 2557) requires current year actual costs to be recovered in the subsequent year, so actual costs incurred by the County in fiscal year 2021-22 will be charged to cities and special districts in fiscal year 2022-23, and so forth.

The County also expects additional project costs associated with the special assessments/direct levy process in the new system. The costs to cities and special districts is more difficult to predict as these charges depend on a number of factors including the number of parcels and amount of individual assessments each year. Again, the timing of these costs will vary, but we expect the bulk of these cost to occur in fiscal years 2022-23 and 2023-24.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Lamera", written over the word "Sincerely,".

Ben Lamera
Director of Finance

Jan 21st, 2022

Mayor Eric Pene
Council Members
Isleton City Council
101 2nd Street
Isleton, Ca 95641

RE: Consideration of the use of lifesaving PulsePoint app in our community

Dear Mayor Pene and Isleton City Council,

Out-of-hospital cardiac arrest is a leading cause of death in the United States, accounting for an estimated 424,000 deaths each year, more than 1,000 deaths per day. The American Heart Association estimates that effective bystander CPR, provided immediately after cardiac arrest, can double or triple a person's chance of survival. However, less than half of cardiac arrest victims receive bystander CPR or the use of an AED (automated external defibrillator).

The PulsePoint Foundation is committed to changing these statistics. Using the smartphones in our pockets, the 501(c)(3) non-profit PulsePoint Foundation provides two apps that work with our local public safety agencies to improve communications with our citizens and ultimately empower them to help during a cardiac emergency.

Today receiving CPR still requires luck – someone trained in CPR being in the exact right place at the exact right time – essentially witnessing the collapse. But if our community was PulsePoint-connected our CPR-trained citizens and off-duty professionals would only need to be nearby – maybe on the floor above or in the business next door. We now have the ability to use technology to improve patient outcomes and save lives.

Let's bring PulsePoint to our community so our citizens, visitors and healthcare professionals can be notified if someone nearby is having a cardiac emergency. If the CPR needed event is in a public place, the app alerts trained citizens and off-duty professionals who are nearby simultaneous with the dispatch of our local paramedics and firefighters. The app also directs citizen rescuers to the exact location of the closest publicly accessible Automated External Defibrillator (AED).

Many cities throughout the United States have deployed PulsePoint (here is the mayor of Los Angeles announcing it to his city: <https://vimeo.com/124752178>).

The PulsePoint App is saving lives. Here are just a couple of examples from Good Morning America <https://vimeo.com/124780654> and World News Tonight <https://vimeo.com/115192332>).

You can learn more about PulsePoint at www.pulsepoint.org. I stand ready to help build consensus for PulsePoint in our community. It will take the support of our fire department, emergency communications center and likely others, but the effort will mean lives saved and a unique partnership between our citizens and the city. Please let me know if we can work together to bring PulsePoint to our community. We need your support!

Sincerely,

Don Cain
59 Main St
Isleton, Ca 95641

City of Isleton

City Council
Staff Report

DATE: March 8, 2022

ITEM#: 5.A

CATEGORY: Consent Calendar

MINUTES OF THE REGULAR CITY COUNCIL MEETINGS OF FEBRUARY 8, 2022

SUMMARY

A. Review of the Regular City Council Meetings of February 8, 2022.

FISCAL IMPACT

There is no fiscal impact associated with this action.

RECOMMENDATION

A. City Council review and approve the draft minutes of the Regular City Council Meeting on February 8, 2022.

ATTACHMENTS

- Minutes of February 8, 2022

Reviewed by: Charles Bergson, City Manager 

Submitted and prepared by: Yvonne Zepeda, Deputy City Clerk _

CITY OF ISLETON

Regular City Council Meeting Minutes

Tuesday, February 8, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

You can call in to join our public meeting

TELECONFERENCE MEETING

Join Zoom Meeting

<https://us02web.zoom.us/j/3379037904?pwd=cWdVNkN5aHUxcjVwRGR1M1BpajcwZz09>

Meeting ID: 337 903 7904

Passcode: 123456

1. OPENING CEREMONIES

A. Welcome & Call to Order – Mayor Eric Pene called to order at 6:30pm.

B. Pledge of Allegiance

C. Roll Call

PRESENT: Councilmember's Paul Steele, Iva Walton-6:34pm, Vice Mayor Pamela Bulahan, Mayor Eric Pene.

2. AGENDA CHANGES OR DELETIONS

ACTION: None.

3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: None.

4. COMMUNICATION

A. County of Sacramento, Order of Health Officer.

ACTION: Information only.

5. CONSENT CALENDAR

A. **SUBJECT:** Approval of Minutes of the Regular City Council Meeting of January 11, 2022.

AMERICANS WITH DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

GOV. CODE § 54957.5 NOTICE: Public records related to an agenda item that are distributed less than 72 hours before this meeting are available for public inspection during normal business hours at Isleton City Hall located at 101 Second Street, Isleton, California 95641.

RECOMMENDATION: City Council review and approve draft minutes of the Regular City Council meeting of January 11, 2022.

ACTION: Councilmember Paul Steele motioned to approve minutes of the Regular City Council meeting of January 11, 2022. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Councilmember Iva Walton. **PASSED 3-0.**

6. OLD BUSINESS

- A. SUBJECT:** Law Enforcement Services between the County of Sacramento and the City of Isleton.

RECOMMENDATION: It is recommended that the City Council discuss and provide direction on police services for Isleton.

ACTION: Councilmember's discussed Law Enforcement.

7. NEW BUSINESS

- A. SUBJECT:** The Sacramento County Local Hazard Mitigation Plan 2021 Adopt.

RECOMMENDATION: That City Council adopt Resolution No. 07-22 approving the Sacramento County Hazard Mitigation Plan.

ACTION: Councilmember Paul Steele motion to adopt Resolution No. 07-22, approving the Sacramento County Hazard Mitigation Plan. Vice Mayor Pamela Bulahan second the motion. **AYES:** Councilmember's Paul Steele, Iva Walton, Vice Mayor Pamela Bulahan, Mayor Eric Pene. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 4-0.**

8. COUNCIL REPORTS AND COMMITTEE UPDATES

- A. Councilmember Vacant
- B. Councilmember Paul Steele – SPAM Festival went well. City Manager call Don Notolli. Feb. 20th meeting.
- C. Councilmember Iva Walton – None.
- D. Vice Mayor Pamela Bulahan – SACOG Land Use meeting.
- E. Mayor Eric Pene – None.

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9. STAFF GENERAL REPORTS AND DISCUSSION

- A. City Manager Report – Code Enforcement, Police.
- B. Fire Chief Report – Had an emergency.

10. CLOSED SESSION

- A. None.

11. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

MAYOR, Eric Pene

AMERICANS WITH DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

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City of Isleton

City Council Staff Report

DATE: March 8, 2022

ITEM#: 6.A

CATEGORY: Old Business

RESOLUTION 08-22 SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY (SHRA) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR ISLETON STREET LIGHTING; CONTRACT APPROVAL

SUMMARY

As funds are available, Sacramento Housing and Redevelopment Agency (SHRA) releases Notices of Funds Available (NOFA) to solicit applications for Community Development Block Grant (CDBG) funded public improvement projects within the County of Sacramento. Funding requests can range between \$5,000 and \$100,000 and must be for specific eligible activities which include the improvement, construction, rehabilitation, reconstruction or installation of public facilities.

DISCUSSION

Staff submitted an application for the Sacramento Housing and Redevelopment Agency (SHRA) CBDG grant funds August 5, 2020 for pedestrian lighting on Main Street. SHRA awarded the City \$100,000 grant funds on February 2022 and staff is requesting City Council to approve contract.

MAIN STREET PEDESTRIAN LIGHTS PROJECT

Purchase and install (20) pedestrian lights to provide pedestrian safety. Pedestrian lighting will create an environment at night time on Main Street in which people can quickly and accurately identify objects and increase comfort and safety. This includes lighting pedestrian crosswalks and approaches to crosswalks. Well-lit pedestrian areas make people walking through the area feel safer. Lighting will conform to the California State pedestrian lighting standards.

OBJECTIVES

- Install pedestrian lighting on both sides of Main Street (20 total). Use uniform lighting levels. Place lights that illuminates pedestrian crosswalks and reduces glare to motorists.
- City will complete CEQA
- City will work with SHRA to complete environmental review
- Have plans reviewed by an engineering firm.
- Purchase pedestrian street lights.
- Hire contractor for installation of pedestrian street lights through competitive bidding.

TIME LINE AND ESTIMATED COSTS

DESCRIPTION	START DATE	ESTIMATED COST
Prelim Design	04/01/22	0
Environmental Review (SHRA)	06/01/22	0
Engineering/CEQA	06/01/22	10,050.00
Purchase	08/01/22	40,000
Installation	09/01/22	49,950
TOTAL		\$100,000

FISCAL IMPACT

The City will receive \$100,000 grant funds from Sacramento Housing Redevelopment Agency (SHRA). There is no matching funds required.

RECOMMENDATION

Staff is requesting City Council to approve contract with SHRA for \$100,000 CDBG funds for the Main Street Pedestrian Lights Project.

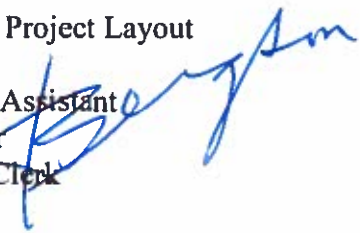
ATTACHMENTS

1. SHRA CBDG Contract
2. Scope of Work
3. Example Pedestrian Lights
4. City of Isleton Main Street Pedestrian Project Layout

Prepared by: Diana O'Brien, Administrative Assistant

Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk





INTER-AGENCY CONTRACT

City of Isleton- Main Street Pedestrian Lighting Project- Draft Copy

Date	2/25/2022
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AS OF THE ABOVE-WRITTEN DATE, AND IN CONSIDERATION OF THEIR MUTUAL OBLIGATIONS, THE AGENCY AND CONTRACTING AGENCY (CONTRACTOR) ENTER INTO THIS "CONTRACT" AND AGREE THAT CONTRACTING AGENCY WILL PROVIDE SERVICES TO THE AGENCY AS FOLLOWS:

1. "Agency" is a public entity that has the following name and address for its principal place of business:

Selection marked by "X"	Agency	
	The Housing Authority of the County of Sacramento	801 12 th Street Sacramento, CA 95814
x	Sacramento Housing and Redevelopment Agency	

2. "Contracting Agency" or "Contractor" is a public entity that has the following name, legal capacity and address for its principal place of business:

Name	City of Isleton
Address	PO.Box 716
Department/DUNS #	078853416

3. The Agency will use the following Funding Sources to make payments for this Amendment. Contractor must comply with all requirements of the Funding Source. The Funding Sources for this Amendment are:

Funding Source	CFDA #	Federal Award ID #	Award Year	Jurisdiction	Amount
CDBG	14.218	B-22-UC-06-0005	2022	<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local	\$100,000
				<input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local	

3. "Attachments" for this Contract are the following, which are incorporated in this Contract as if included in full in the body of this document:

ATTACHMENT NO.	DESCRIPTION OF ATTACHMENT (Attachments marked N/A or stricken are not included)
1	Intentionally Omitted
2	Attachment 2: CDBG and Other Federal Requirements (If a Funding Source is federal, this Contract is invalid without the "Federal Requirements Attachment".)
3	Scope of Work

Unless expressly stated otherwise the Attachments shall supersede any provisions of this Contract with which they conflict. References to Agency in the Attachments are references to the "Agency" as identified Section 1 above.

4. "Scope of Work" for this Contract is the following [This contract is invalid unless this section is completed, and an attachment to replace this section is not valid unless it is the description of work that was provided to bidders in a bid package.]:

PERFORMING PARTY (CONTRACTOR)	"TASK/OBLIGATION":	"LOCATION"	"DEADLINE"
City of Isleton	<p>This MOA allocates \$100,000 in County CDBG funds to purchase and install 20 pedestrian lights to provide pedestrian safety and streetscape improvements. This also includes lighting pedestrian crosswalks and approaches to crosswalk. This project will create an environment at night time on Main Street in which people can quickly and accurately identify objects and increase comfort and safety.</p> <p>SHRA will complete CEQA/NEPA environmental review prior to the start of this project.</p>	City of Isleton	12/31/2023
City of Isleton	<p>Invoicing</p> <p>Invoicing/Progress Reports: SHRA requires receipt of an invoice within 180 days of the Effective Date of this Agreement and then quarterly, at a minimum.</p> <p>The final invoice must be received by 1/31//2024</p> <p>Invoices must be accompanied by a progress report. Submit invoices/progress reports by MAIL or email to:</p> <p>Stanley Felix, SHRA 801 12th Street, 4th Floor Sacramento, CA 95814 sfelix@shra.org</p>	City of Isleton	12/31/2023

5. "Contract Price" is the maximum amount to be paid under the Contract. The Contract Price for this Contract is the following:

CONTRACT PRICE	\$100,000
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6. "Payment Schedule" for this Contract is as follows:

SELECT ONE	DATE, TIME PERIOD OR PERFORMANCE TO BE COMPLETED AS CONDITION OF PAYMENT (Only one payment schedule is selected, the others, marked N/A or stricken, are not included):	MAXIMUM AMOUNT OF PERIODIC PAYMENT:
	Monthly payments due on the ____ day of the month	\$ _____ per month
	Quarterly Payments due by the 30 th of the month following the previous quarter	% of Contract Price Stated in Attachment
	According to the amounts or rates state in Attachment ____	Stated in Attachment
	According to the following Schedule of Tasks, periodic payment upon Contracting Agency's completion of each respective task:	
<input checked="" type="checkbox"/>	As billed by Contractor, for work actually performed and services actually provided	According to the fees and rates stated in Attachment Per the Scope of Work
	Upon completion of the work for actual work performed	MAXIMUM AMOUNT: \$100,000

Draft Copy

SELECT ONE	DATE, TIME PERIOD OR PERFORMANCE TO BE COMPLETED AS CONDITION OF PAYMENT (Only one payment schedule is selected, the others, marked N/A or stricken, are not included):	MAXIMUM AMOUNT OF PERIODIC PAYMENT:
	ALLOWED REIMBURSABLE EXPENSES	
x	Not to exceed	

Contractor shall not be reimbursed for expenses that are not specifically included in the Payment Schedule. Notwithstanding any other provision, reimbursable travel expenses shall not include expenses for travel within a twenty-five (25) mile radius of the Contractor's place of business.

SHRA requires receipt of reimbursement request within 180 days of the Effective Date of this Agreement and then at a minimum quarterly. If no funds are requested, the agreement may be cancelled with written notice.

Contractor shall submit, at minimum, quarterly status reports on the services funded by the Agency. Status reports shall include the name, email address and telephone number of Contractor's contact person. Annual or closeout reports are due 30 days after the end of the calendar year. Agency shall have the right to audit such reports, including the right to review all records of Contractor related to such reports.

7. In the event of litigation between the parties the following county shall be the venue:

Sacramento

THIS CONTRACT IS EXECUTED in Sacramento, California as of the date first above written.

CONTRACTOR:

By: _____

Name: _____

Title: _____

AGENCY

By: _____

Name: **LaShelle Dozier**

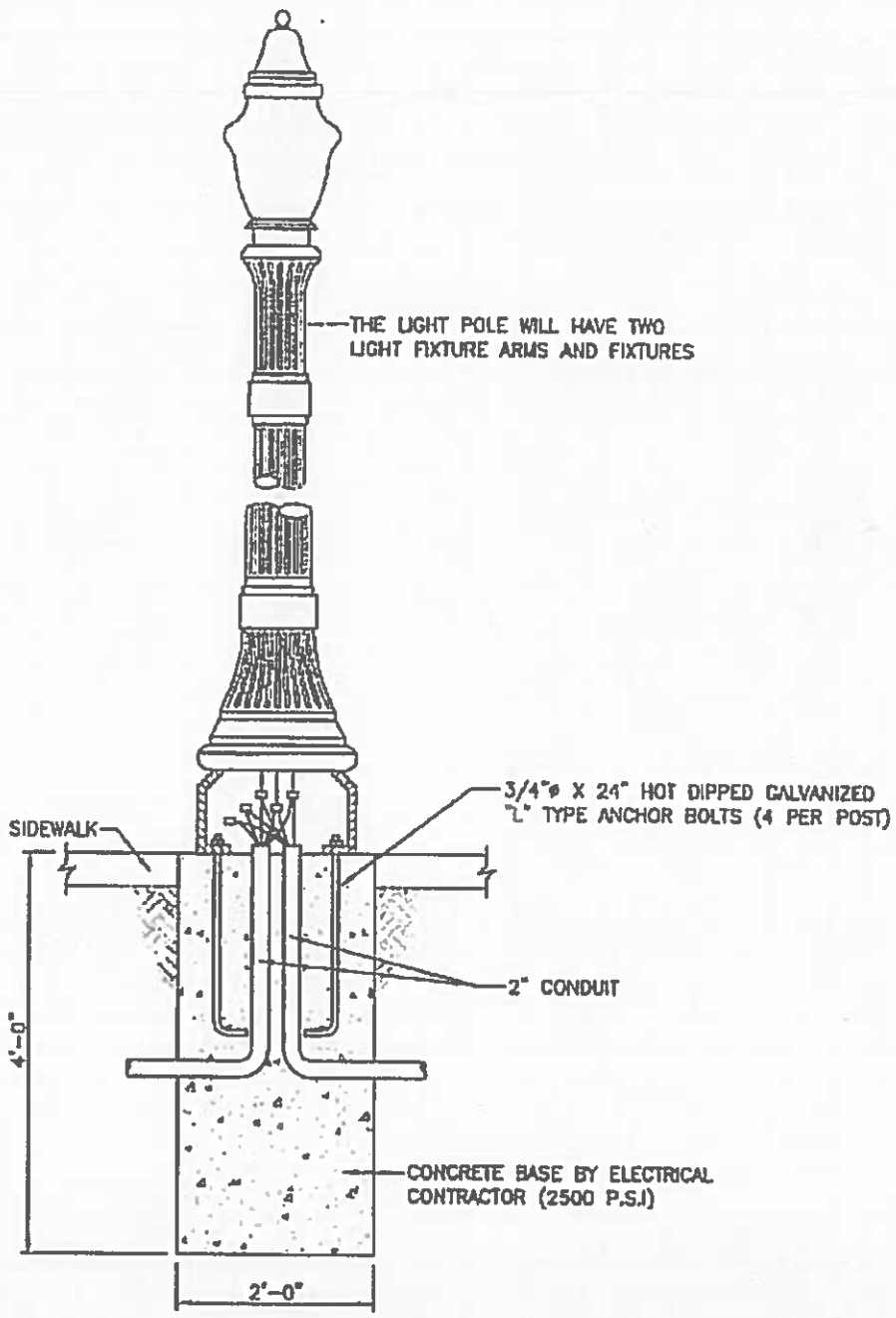
Title: **Executive Director**

Approved as to Form: _____

Attorney for
Agency

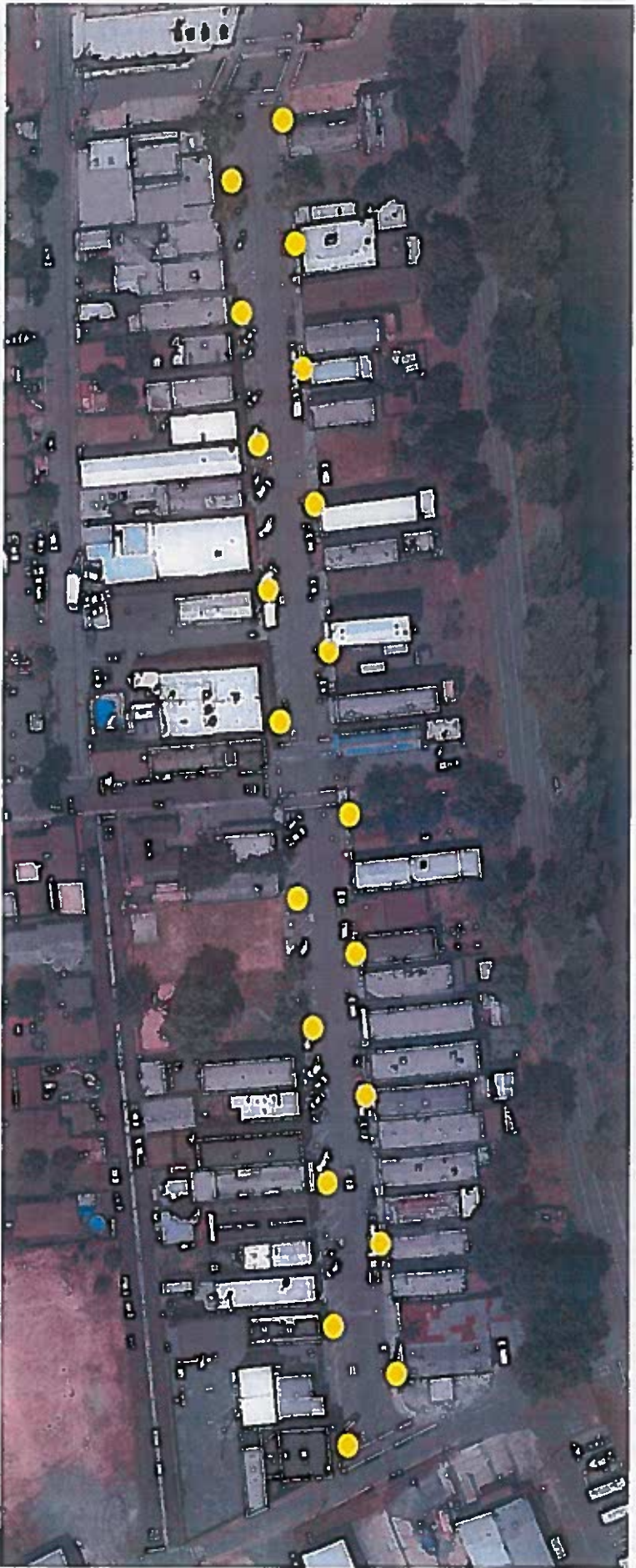
Approved as to form: _____

Attorney for



City Council Approval	ISLETON STREET & AREA LIGHT POLE BASE DETAIL	Drawing No. E-11		
Approved by City Engineer		DRAFT	DO	10-01-21
Approved by Public Works Dir.	CITY OF ISLETON Public Improvement Standards			

**CITY OF ISLETON
MAIN STREET PEDESTRIAN LIGHTING PROJECT**



August 5, 2020

City of Isleton

City Council
Staff Report

DATE: March 8, 2022

ITEM#: 6.B

CATEGORY: Old Business

CITY COUNCIL VACANCY – SACRAMENTO COUNTY GRAND JURY REPORT FEBRUARY 7, 2022

SUMMARY

The City is in receipt of a Grand Jury Report from the Sacramento County Superior Court dated February 7, 2022 regarding the vacant City Councilmember seat. The Grand Jury is directing that the City fill the vacancy or call a special election by June 30, 2022. The Grand Jury is also directing that the Council respond to this report within ninety days.

DISCUSSION

At its June 22, 2021 the Council declined to appoint a fifth councilmember to fill the vacant Council seat. This Grand Jury report was received February 14, 2022.

The Grand Jury report calls for the Council to a) respond to each grand jury finding (there are five), b) response to each grand jury recommendation (there are two), and c) address the budgeting or personal impacts associated with the findings and recommendations.

Attached is the City Attorney's report dated March 8, 2022 (attachment 1). The recommendation from the City Attorney is to solicit applications from interested individuals wishing to be considered for appointment to fill the vacancy on the City Council. The Attorney is recommending that applications be accepted until March 22, 2022. Staff is recommending that applications be accepted until May 31, 2022.

It is recommended that the Council can direct the solicitation of applicants, and that applications be submitted to the City no later than May 31, 2022. Council can then appoint a member prior to the Grand Jury deadline of June 30th, 2022. The appointee would hold the seat until the next municipal election on November 8, 2022.

The City Attorney has prepared a draft City response for the Grand Jury. This draft is presented to Council in advance of the ninety day deadline for a response (estimated date May 7, 2022).

FISCAL IMPACT

There is no fiscal impact associated with this action.

RECOMMENDATION

Staff recommends that City Council direct the solicitation of applications for the Fifth Councilmember and direct Staff to prepare a response to the Sacramento County Grand Jury letter of February 7, 2022.

ATTACHMENTS

- 1 – Attorney report on solicitation of Applications to fill Council Vacancy.
- 2 - Draft letter from City of Isleton to Sacramento County Superior Court regarding its Grand Jury Report of June 7, 2022

Submitted by: Yvonne Zepeda, Deputy City Clerk

Reviewed by: Charles Bergson, City Manager



City of Isleton

City Council

Staff Report

DATE: March 8, 2022

ITEM: [agenda item no.]

CATEGORY: [e.g. new business]

REVIEW OF DRAFT RESPONSE TO GRAND JURY REPORT AND SOLICITATION OF APPLICATIONS TO FILL COUNCIL VACANCY

RECOMMENDED ACTION

Staff respectfully recommends that the City Council undertake the following:

1. Review, discuss, and provide comments on the draft response to the Grand Jury Report dated February 7, 2022; and
2. Solicit applications from individuals interested in being considered to fill City Council vacancy.

DISCUSSION

Council Vacancy

On April 23, 2021, Councilmember Barbara Dockery passed away. The City was informed shortly after, on the same day. Councilmember Dockery was elected in November 2020 and her term was to expire in 2024. Following consideration of how to fill the vacancy during the spring and summer of 2021, the Council ultimately took no action to fill the vacancy either by appointment or by calling a special election.

Grand Jury Investigation and Report

Based on this result, the 2021-2022 Sacramento County Grand Jury ("Grand Jury") received a citizen complaint. The Grand Jury subsequently launched an investigation and issued a report on February 7, 2022 that contained five findings and two recommendations. The findings in the Grand Jury report are as follows:

1. *The Isleton City Council violated Government Code section 36512(b) by failing to appoint and/or failing to call for a Special Election to replace a vacancy on the Isleton City Council.*
2. *The Isleton City Council disregarded Government Code section 36512(b), the advice of its City Attorney, the advice contained in the Staff Report dated June 22, 2021, and recommendations of several citizens during the June*

22, 2021 City Council Meeting when it failed to appoint and/or failed to call for a Special Election to fill a vacancy on the City Council.

- 3. Failure of the Isleton City Council to follow the mandate of Government Code section 36512(b) was a breach of the City of Isleton Code of Conduct for City Council Members.*
- 4. Failure to appoint a person to fill the vacancy on the Isleton City Council dilutes the public's representation in government since there is one fewer Council Member to express views, opinions, ideas, and diverse opinions as well as potentially resulting in split decisions which would inhibit the Council from making appropriate decisions.*
- 5. The lack of a penalty provision for failure to comply with Government Code section 36512(b) motivated the Isleton City Council to ignore the mandatory requirement to either appoint or call for a Special Election to fill the vacancy on the City Council and leave its constituency with no redress.*

The recommendations in the Grand Jury report are as follows:

- 1. The Isleton City Council should appoint a person to fill the vacancy on the Isleton City Council by June 30, 2022.*
- 2. If the Isleton City Council fails to appoint a replacement by June 30, 2022, a Special Election should be held.*

Response to the Grand Jury Report

As described in the Grand Jury Report, a formal response from the City Council is required within sixty (60) days from the date of the Grand Jury Report. Staff and the City Attorney's office have prepared a draft response for the Council's consideration based on the facts and circumstances of this issue. The format of the draft response follows the statutory requirements contained in Penal Code section 933 et seq. Penal Code section 933.05(a)(2) also allows for a response wholly or partially disagreeing with a finding, though such a response requires additional explanations of the reasons therefor.

Based on the comments received at tonight's meeting, staff and the City Attorney's office will make any necessary edits to the draft response and bring this item back for additional consideration or approval at the Council's next meeting. The formal response must be submitted no later than Friday, April 8, 2022.

Conduct an Application/Appointment Process

In order to implement the recommendation of the Grand Jury Report, the Council should solicit applications from any interested individuals who wish to be considered for appointment to fill the vacancy on the City Council. Staff recommends that applications be accepted until the March 22, 2022 Council meeting, that the Council discuss applicants

at the March 22, 2022 Council meeting, and that the Council vote to appoint someone to fill the vacancy on the council at the March 22, 2022 Council meeting.

FINANCIAL CONSIDERATIONS

The actions discussed in this report do not have any financial implications.

ENVIRONMENTAL ANALYSIS

This report is for informational purposes and does not trigger environmental review.

ATTACHMENTS

1. Grand Jury Report dated February 7, 2022
2. Draft Response to the Grand Jury Report dated February 7, 2022



CITY OF ISLETON

101 2nd Street
Isleton, CA 95641

916-777-7770

[date], 2022

VIA E-MAIL AND U.S. MAIL

Honorable Michael Bowman
Presiding Judge
Sacramento County Superior Court
709 9th Street
Sacramento, CA 95814

Copy to:
Sacramento County Board of Supervisors
BoardClerk@sacounty.net

Ginger Durham
Jury Commission, County of Sacramento
DurhamG@saccourt.ca.gov

Erendira Tapia-Bouthillier
Grand Jury, County of Sacramento
TapiaE@saccourt.ca.gov

**Re: Grand Jury Report – Isleton City Council Violates State Election Laws dated
February 7, 2022**

Dear Judge Bowman,

On February 7, 2022, the City of Isleton ("City") received a report from the 2021-2022 Sacramento County Grand Jury ("Grand Jury") entitled *Grand Jury Report – Isleton City Council Violates State Election Laws* ("Grand Jury Report"). Pursuant to California Penal code section 933 and 933.05, the Grand Jury required that the Isleton City Council respond to the Grand Jury Report and invited Isleton City Manager, Charles Bergson, to respond.

The attached response is drafted in compliance with Penal Code sections 933 and 933.05 on behalf of both the Isleton City Council and City Manager Charles Bergson.

Sincerely,

Eric Pene
Mayor

Pamala Bulahan
Councilmember

Paul Steele
Councilmember

Iva Walton
Councilmember

A. RESPONSE TO FINDINGS

1. **F1 – The Isleton City Council violated Government Code section 36512(b) by failing to appoint and/or failing to call for a Special Election to replace a vacancy on the Isleton City Council.**
 - (a) The City Council **AGREES** with this finding.

2. **F2 – The Isleton City Council disregarded Government Code section 36512(b), the advice of its City Attorney, the advice contained in the Staff Report dated June 22, 2021, and recommendations of several citizens during the June 22, 2021 City Council Meeting when it failed to appoint and/or failed to call for a Special Election to fill a vacancy on the City Council.**
 - (a) The City Council **AGREES** with this finding.

3. **F3 – Failure of the Isleton City Council to follow the mandate of Government Code section 36512(b) was a breach of the City of Isleton Code of Conduct for City Council Members.**
 - (a) The City Council **AGREES** with this finding. Pursuant to the City of Isleton Code of Conduct for City Council Members, effective January 24, 2008, each City Council member is obliged to comply with the mandates of law.

4. **F4 – Failure to appoint a person to fill the vacancy on the Isleton City Council dilutes the public's representation in government since there is one fewer Council Member to express views, opinions, ideas, and diverse opinions as well as potentially resulting in split decisions which would inhibit the Council from making appropriate decisions.**
 - (a) The City Council **AGREES** with this finding.

5. **F5 – The lack of a penalty provision for failure to comply with Government Code section 36512(b) motivated the Isleton City Council to ignore the mandatory requirement to either appoint or call for a Special Election to fill the vacancy on the City Council and leave its constituency with no redress.**
 - (a) The City Council **AGREES** with this finding.

B. RESPONSE TO RECOMMENDATIONS

1. **R1 – The Isleton City Council should appoint a person to fill the vacancy on the Isleton City Council by June 30, 2022.**
 - (a) The City Council **HAS NOT IMPLEMENTED** this recommendation, but will within the timeline allowed. The City Council anticipates appointing a person to fill the vacancy before June 30, 2022. To do so, on or before June 30, 2022, the City

Council will identify eligible and interested candidates by application. Then, on or before June 30, 2022, the City Council will select a person to fill the vacancy from that pool of eligible and interested candidates. The candidate who receives a majority of votes from City Council members will be the person chosen to fill the vacancy. If no candidate receives a majority, the decision will be made by a coin toss between the two candidates with the most votes.

2. **R2 – If the Isleton City fails to appoint a replacement by June 30, 2022, a Special Election should be held.**
 - (a) The City Council **HAS NOT IMPLEMENTED** this recommendation. If the City Council fails to appoint a person to fill the vacancy on the Isleton City Council on or before June 30, 2022 in the manner described above, the City Council will call for a Special Election in compliance with the Government Code and Elections Code at the regular City Council meeting in July 2022.

03-08-2022 DRAFT

City of Isleton

City Council Staff Report

DATE: March 8, 2022

ITEM#: 7.A

CATEGORY: New Business

ISLETON MUNICIPAL CODE, TITLE VIII PUBLIC PLACES CHAPTER 8.01 ENCROACHMENTS; PROPOSED ORDINANCE 2022-XX

SUMMARY

City is considering the adoption of a public rights-of-way encroachment ordinance. Encroachment laws are to secure and promote public safety and general welfare of persons and their use of the public rights-of-way.

DISCUSSION

This City does not have an ordinance or laws governing use of the public rights-of-way and public spaces. The practice for use of the City property and rights-of-way has been to set conditions for each permit on a case by case basis. This practice does not have the standing of law and has not provided the City the adequate legal protection. Specifically, the City has not consistently required protection of its facilities, grounds, and liability. The proposed ordinance provides this protection.

Establishing an ordinance for use of public ways promotes public safety and general welfare through the regulation of public way activities. This regulation provides for insurance, fees to cover damage and cleaning, and insuring safety to citizens and traffic.

This draft ordinance, attached, addresses these matters including protecting the traveling public, protection of trees, and liabilities and is submitted for review and comment. It is also being sent to the City Attorney for review and comment. Staff plans to formally introduce this ordinance for adoption within the next three months. The Planning Commission will also be presented this draft ordinance for comment.

FISCAL IMPACT

There is no fiscal impact associated with this report.

RECOMMENDATION

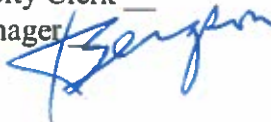
It is recommended that the City Council receive this report and provide direction.

ATTACHMENTS

1. Draft Ordinance 2022-XX Title VIII Public Places Chapter 8.01 Encroachments

Submitted by: Yvonne Zepeda, Deputy City Clerk

Reviewed by: Charles Bergson, City Manager



DRAFT ORDINANCE 2022-XX
TITLE VIII Public Places
Chapter 8.01 Encroachments

8.01.010 Definitions

The following words and phrases as used in this chapter, unless a different meaning is clearly required by the context, shall have the following meanings:

“City engineer” means the city engineer of the city acting either directly or through authorized agents.

“Director” as used in this chapter, means the city manager of the city or his designee.

“Licensed contractor” means a person or entity duly licensed under the laws of the state of California to perform works of improvements.

“Person” as used in this chapter, includes any individual, firm, partnership, joint venture, association, corporation, estate, trust, the state of California, incorporated cities, all public districts and political subdivisions of the state of California except the city and any group or combination acting as a unit.

“Public agency” means the United States or any department or agency thereof, the state of California and any department or agency thereof, corporate cities and all public districts and other political subdivisions of the state of California except the city.

“Public right-of-way” means any place of any nature which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park, square, and any other similar public way.

“Sidewalk area” means that portion of a street right-of-way which lies between the property line and the outside edge of a gutter or gutter lip, including a driveway approach.

“Standard specification” means the standard specification of the city department of public works, established by and adopted by the city council.

“Temporary and seasonal business activities in or adjoining public rights-of-way” means those business activities that use private or public property, whether for profit or not, whether located within the city limits or not, on a temporary basis for sales of goods, products or services, using temporary structures or apparatus to conduct business including but not limited to, Christmas tree sales, pumpkin sales, food sales, fireworks sales, which are located either on or adjoining public rights-of-way on a temporary basis.

8.01.020 Purpose and Intent

- A. Construction, excavation and temporary, seasonal businesses activities in or adjoining public rights-of-way presents an inconvenience and danger to the safety and welfare of persons using such rights-of-way, including pedestrians, persons entering and leaving vehicles and buildings, vehicle traffic on streets, and persons performing essential utility, traffic control and emergency services.
- B. Seasonal and temporary businesses activities and construction activity can be so located so as to cause an inconvenience or danger to persons using public rights-of-way and constitute public nuisances.
- C. The uncontrolled proliferation of seasonal and temporary businesses in or adjoining public rights-of-way detracts from the appearance of streets, sidewalks, and adjacent businesses.
- D. The uncontrolled placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way inhibits safe entry and departure of vehicles.
- E. The uncontrolled placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way impairs the vision and distracts the attention of motorists and pedestrians, particularly small children and may cause injury to the person or property of such persons.
- F. The placement of temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way adjacent to residential areas detracts from and reduces neighborhood aesthetics and increases the exposure of residents to noise, traffic volume and hazards and congestion.
- G. The provisions and prohibitions contained and enacted in this chapter are in pursuit of and for the purpose of securing and promoting the public safety and general welfare of persons in the city in their use of public rights-of-way through the regulation of construction and excavation in the rights-of-way, as well as, the placement, appearance, number, size, and operation of temporary structures related to seasonal and temporary businesses in or adjoining the public rights-of-way.
- H. It is not the intent of this chapter to in any way discriminate against, regulate, or interfere with the publication, circulation, distribution, or dissemination of any printed material that is constitutionally protected.

08.01.030 Permits to do work in within streets required

No person shall make any excavation or dig any trench or remove or destroy in any way, any curb, gutter, sidewalk or street pavement, or alter or tear up the surface, or install any sidewalk, curb, gutter, driveway approach, drainage well, street or alley pavement, sewer, pipeline, conduit, pole,

tank or anything else in or upon any public street, alley, sidewalk or other public place in the city without first securing a permit from the director and filing bonds and insurance as hereinafter specified and required; provided, that a permit shall not be required for work done under a contract therefor by the council; and provided further, that a permit shall not be required for public utilities service installations or minor maintenance work in connection therewith, when such installation or work is done on any street prior to the installation of street surfacing.

08.01.040 Permits to engage in seasonal and temporary activities in or adjoining public

- A. Unless otherwise permitted under this code, no person shall install or maintain any temporary structures related to seasonal and temporary businesses in or adjoining public rights-of-way which in whole or in part rests upon, in, adjacent to or over any public right-of-way without first obtaining a permit from the director or his designated representative after providing the following:
1. The location of each temporary structures to be installed or maintained by applicant; and
 2. The name, address and telephone number of the applicant.
- B. No more than one permit shall be required per applicant regardless of the number of temporary structures the applicant maintains. However, an amended application for said permit shall be filed with the director in the event that additional temporary structures are installed or removed by the applicant subsequent to the issuing of the original permit by the city.
- C. From the above information the director or his designated representative shall designate locations and shall be guided therein solely by the standards and criteria set forth in this chapter. Such application may be granted either in whole or in part when more than one location is proposed by the applicant, and in any event, when denial is solely as to location, it shall be without prejudice to amend such application to state a different location or locations.
- D. In addition to the permit application, the applicant shall also provide bonds and/or insurance as hereinafter specified and required as it pertains to the temporary and seasonal business activities in or adjoining public rights-of-way, as determined by the director.

8.01.050 Work to be performed by a licensed contractor

Any work proposed to be done under a permit issued pursuant to this chapter shall be done by a licensed contractor, duly licensed to perform the proposed work or improvement.

8.01.060 Exceptions

- A. The provisions of this chapter are not applicable to the installation of a mail box. However, mail boxes shall be installed in accordance with the rules and regulations of the United States post office department and shall not be placed within the public right-of-way, so as to endanger the safety of the persons using the streets and/or sidewalks. If the director determined that a mail box has not been installed in compliance with this subsection, he shall require the removal

of the mail box in accordance with the procedure set forth in Chapter 6 of Division Two of the Streets and Highways Code of the state of California or any other applicable statutes or ordinance.

- B. The provisions of this chapter are not applicable to any work which is performed pursuant to a franchise granted by the city or the state of California.
- C. The provisions of this chapter are not applicable to any public agency which has the right under the laws of the state of California to perform work covered by the provisions of this chapter without following the procedure prescribed herein.
- D. Nothing in this chapter shall prohibit a person from making excavation in the street which is necessary for the preservation of life or property when such necessity arises during the hours when the office of the director is closed. If the person making such excavation files an application for the required permit on the first day that the office of the director is opened subsequent to the making of such excavation.

8.01.070 Application for permit

Any person proposing to make an excavation or do any street work in the city shall file a signed application with the community development department for delivery to the director, setting forth the contractor's name and license number and specifically describing the location, area, extent and nature of the excavation proposed to be made or the work proposed to be done. Such application shall include a diagram of the proposed excavation or work. Specifications under which the proposed work is to be done shall be submitted when requested by the director. The application shall be made in duplicate on forms furnished by the city. The council shall establish a schedule of fees for filing of applications and engineering, inspection, staking, and other services to be rendered by the city in connection with work to be performed under the terms of this chapter. Upon the filing of an application to do street work, the applicant shall pay to the city the applicable fees.

08.01.080 Hold harmless agreement

Each applicant for a permit, shall agree to hold the city and its officers, agents, and employees, harmless from any and all causes of action, penalties, liability or loss resulting from claims or court actions arising out of any accidents, loss or damage to personal property occurring as a result to any work performed pursuant to the permit.

08.01.090 Insurance

- A. No person shall be entitled to a permit under this chapter unless and until he shall have filed and maintained on file with the city a certification that such person carries public liability and property damage insurance issued by an insurance carrier licensed to do business in the state of California, insuring the applicant, the city, its officers, employees and agents and named insured against loss by reasons of injuries to, or death of, persons, or damages to property caused by the applicant, its agents or employees in performing any work under such permit, in the following amounts: Five hundred thousand dollars for the death of, or injury to, any one

person in any one accident; one million dollars for the death of or injuries to, more than one person in any one accident; one million dollars for damages to property.

Said insurance is to provide for cross liability between insurer and provide that the applicant's insurance is primary to any owned by the city.

- B. If the work to be performed involves any excavation, the policy shall include any endorsement that affords coverage for explosion, collapse and underground hazards.
- C. Public utilities and other public agencies shall not be required to file the certification set forth in subsection (A) of this section, provided the utility or agency agrees in writing to indemnify and defend the city, its agents and employees from liability arising from the work, and pay all of the city's court costs and attorney fees incurred as a result of claims being made for damages therefor, that there shall be filed and maintained with the city, a certification showing them maintenance of a satisfactory plan of self-insurance, or sufficient evidence to be presented that the public utility or other public agency is of sufficient financial responsibility to provide the necessary indemnification.
- D. The insurance policy shall be in effect on the date the work is commenced and shall expire no sooner than one year after the date on which the work is completed.

08.01.100 Bond

- A. No permit shall be issued for making any excavation or for doing any work described in this chapter, which requires a permit, until the applicant has filed a corporate faithful performance or license bond in a sum designated by the director.
- B. The aforesaid bond shall be approved by the city attorney and filed with the city.
- C. In the event an applicant requests a permit to do any work under the terms of this chapter of the class for which a bond has been issued, the total estimate of costs of which exceeds the amount of said bond, he shall furnish an additional bond in a sum which, in together with the bond already on file, equals one hundred percent of the total estimated costs of the work.
- D. The condition of required bond shall be that in the event the excavation or work done under street work permits issued therefor shall fully comply with the provisions of this chapter, then said obligation shall be void; but in the event the principal shall fail to faithfully comply with any of the provisions of this chapter, then the director may direct that the work be done in accordance with the provisions of this chapter and the costs and expense of such work and, in the event of suit on the bond, attorney's fees and court costs shall be collectable from the principal and the surety or sureties on said bonds.
- E. All bonds required by this section shall be for a period of not less than one year and shall expire on the thirtieth day of June except if a corporate faithful performance bond is filed by a public utility, it shall be effective until revoked. No bond shall be cancelled except on thirty days' written notice to the director.

- F. Whenever the excavation or work is to be done in connection with the initial installation of subdivision improvements under a subdivision agreement guaranteed by a bond, or other improvements security, the bond specified by this section shall not be required.

08.01.110 Issuance of permit

- A. If the applicant for a permit complies with all of the provisions of this chapter and with all other applicable laws and ordinances of the state of California and the city, the director may issue the permit to the applicant. Permit granted by the director shall refer to this chapter and shall be granted by the director subject to all its terms and conditions which are set forth in this chapter.
- B. When the director grants a permit pursuant to this chapter, he may impose thereon such terms and conditions concerning the location, dimension or character of the work as he may deem necessary for the protection of the streets, the prevention of undue interference with traffic, to insure the safety of persons using the streets.
- C. If the applicant or the contractor who shall do the proposed work, does not comply with all of the requirements of this chapter and with all other applicable laws and ordinances of the state of California, and the city, the director shall deny the application for the permit. In any case in which the director determines that unusual circumstances make it advisable for the director to act on the application for a permit, he may refuse to grant the permit and submit the application to the city council for action.
- D. If the director denies an application for a permit, or issues a permit subject to conditions which the applicant or the contractor who shall do the proposed work, believes to be unreasonable, the applicant may appeal to the city council for issuance of the permit. The city council shall thereafter determine whether the permit shall be issued to the applicant and the terms and conditions under which it shall be issued, and the decisions of the city council shall be final.
- E. Nothing in this chapter shall be deemed to make it mandatory for the director or the city council to issue the permit and, upon an appeal to the city council, the decision whether the permit will be issued, and the terms and conditions on which it is issued, rest solely in the discretion of the council and the permit may be denied without cause.
- F. Issuance of a permit pursuant to this chapter does not imply or guarantee in any way that the city owns fee title to the real property in which the work is to be done or that the city has sufficient title to the real property in which the street is constructed to grant the sole responsibility of the permittee to secure such consent as may be necessary from the owner of the fee title of the property in which the street is located after he has received the permit.
- G. The permit shall only authorize work to be performed in streets, right-of-way or public utility easements over which the city has jurisdiction and any permit issued shall be null and void to the extent that it purports to authorize the performance of work on any street, right-of-way or public utility easement or portions thereof, over which the city does not have jurisdiction.

H. The permit shall be kept at the site of work and shall be shown on demand, to all authorized representatives of the city and to all peace officers.

08.01.120 Permit no transferable

The permit issued pursuant to the provisions of this chapter shall not be assigned or transferred by the permittee to any other person and any permit which is assigned or transferred by the permittee shall automatically become null and void.

08.01.130 Revocation of permit

The director may revoke the permit unless the work authorized therein is commenced within sixty days after the date of issuance of the permit, and is thereafter diligently prosecuted to completion in the opinion of the director. The director may revoke a permit pursuant to this section by sending written notice of such revocation to the permittee by ordinary mail at the address shown on the application for the permit, or by personal delivery of such written notice to the permittee.

08.01.140 Notice of commencement of work

Within twenty-four hours prior to the commencement of work, authorized by a permit, the permittee shall notify the director by telephone or in person of the time when such work will be actually commenced.

08.01.150 Prescribing additional conditions

At any time prior to the completion of the work authorized by a permit, the director may prescribe such additional conditions as may be deemed necessary for the protection of the street, for the prevention of undue interference with traffic, or to assure the safety of persons using the streets.

08.01.160 Location of pipe and conduits

All pipes and conduits which are laid parallel to a street pursuant to a permit shall be placed at least five feet from the edge of the pavement or the graded traveled roadway unless otherwise expressly authorized in writing by the director. At least twenty-four inches of dirt, sand or gravel shall be placed over all pipes or conduits installed under a street unless otherwise specified in the permit and the minimum cover shall be measured from the surface of the street existing or planned. The director may permit the installation of pipes or conduits less than twenty-four inches from the surface of the street if twenty-four inches of cover cannot be provided because of topography, existing structures or other engineering necessities. All pipes, conduits, and culverts which cross a street shall intersect both sides of the right-of-way owned by the city.

08.01.170 Protection of traveling public

The permittee shall take all precautions necessary to protect the safety of the traveling public. Barricades, lights, warning signs and flagmen shall be provided and maintained by the permittee when necessary, at his own expense, until the excavation is refilled, the obstruction removed, and

the street is safe for the use of the traveling public. The director may specify in the permit the safety devices and measures to be used by the permittee. The failure of the director to specify in the permit the safety devices or measures to be provided by the permittee shall not relieve the permittee of his obligation to furnish all safety devices and measures which are necessary. Warning signs, lights and devices shall conform to the requirements of the Vehicle Code of the state of California and city of Isleton development standards. If the director finds, at any time, that suitable safeguards are not being provided by the permittee, the director may provide and maintain such safeguards as he deems necessary or he may cancel the permit and restore the street to its former condition, all at the expense of the permittee.

08.01.180 Removing Trees

The director shall not issue a permit to remove a tree from a street unless he determines that there is good and sufficient reasons for the removal of such tree. When a tree is removed, pursuant to a permit, the entire stump shall be taken out of the ground for a distance of at least two feet below the ground surface unless otherwise specified in the permit and the hole shall be backfilled and tamped. All resulting debris shall be removed from the site and the street shall be restored to its former condition. It is unlawful for any person to remove, top or trim any tree standing in any public way, without first obtaining a permit to do so from the city and unless in accordance with the provisions of this chapter. This provision shall not apply to minor trimming and pruning which does not involve the place of ladders or equipment in a public way other than according to parking regulations or the falling or piling of debris in a public way.

08.01.190 Monuments

It is unlawful for any person to remove or disturb or cause to be removed or disturbed, any monument of granite, concrete, iron or other material which has been set for the purpose of locating or preserving the lines or elevations of a street, property subdivision, or a precise survey point or reference point, without first obtaining the consent of the director and the city engineer to do so. The permittee shall, at his own expense, replace any monument which has been disturbed or removed without the consent of the director and the city engineer.

08.01.200 Restoration of streets

Immediately upon completion of the work authorized by the permit, the permittee shall refill the excavation or remove obstruction in a good workmanlike manner to insure against settlement. Saturated or unsuitable materials shall be removed from the excavation and shall be backfilled with suitable materials and thoroughly tamped. If a treated or modified subgrade of a street has been removed and destroyed as a result of the excavation, the permittee shall replace the subgrade to a thickness of not less than that of the adjacent subgrade. Crushed rock may be used to replace modified subgrade. If a treated or modified road surface has been removed and destroyed as a result of the excavation, the permittee shall replace the road surface to a thickness and width not less than that of the original surface and he shall use the same type of material as the original surface. All work performed pursuant to this section shall be performed according to the standard specifications of the city and to the satisfaction of the director. If the permittee fails or refuses to repair and restore the street to the satisfaction of the director or according to the standard

specifications of the city within a reasonable time, the director shall cause the damaged portion of the street to be repaired and restored and the permittee shall reimburse the city for the full costs of such work. If at any time subsequent to the first repair of the surface of a street it becomes necessary to again repair the surface due to settlement or any other cause directly attributed to such excavation or construction, the director shall cause such repairs to be made and the permittee shall reimburse the city for the full cost of such additional repairs.

08.01.210 Notice of completion

Upon completion of the work authorized by the permit, the permittee shall file with the director a notice of completion of the work on a form prescribed by the director.

08.01.220 Failure to comply with permit

It is unlawful for a permittee to make, or cause to be made, any excavation or construction, or to be placed upon, maintain or leave any obstruction or impediment to travel, or pile or place any material in or upon any street, or to install or maintain, or cause to be installed or maintained any tank, pipe, conduit, duct, tunnel, curb, gutter, sidewalk or other structure, in, upon or under the surface of any street at any location or in any manner other than as set forth in the permit and this chapter.

08.01.230 Performance by employee, agent or contractor

Performance of any of the duties and obligations imposed upon a permittee by the permit or this chapter by any agency, employee or independent contractor employed by the permittee shall be deemed to constitute performance of such duties and obligations by the permittee.

08.01.240 Interference with subsequent street work

If any tank, pipe, conduit, duct, tunnel or other structure or installation of any nature or kind, which has been constructed or installed in a street pursuant to a permit, shall at any time after completion of the construction or installation interfere with the use, repair, improvement, widening or change of grade of the street, the permittee, his successors and assignees, within ten days after receipt of a written notice from the director to do so, shall at his own expense either remove such structure or installation or, subject to the approval of the director relocate it at another site designated by the director.

08.01.250 Damage to encroachments

The applicant for a permit shall agree that the city shall not be held responsible for any damage to any structure or installation which is not clearly and visibly marked, by the construction, reconstruction, maintenance or repair or by use of overweight equipment on the street. The permittee, his successors and assignees, upon being notified of such damage by the director shall immediately repair, remove or relocate the damage structure or installation.

08.01.260 Fees

The signator of the agreement shall pay to the city prior to issuance of any permit, a fee in the amount of four percent of the reasonable or contract price of the improvement or work to be done, whichever is greater. The determination of such value shall be made by the director. Failure to undertake the work shall not be grounds for refund of any part of such fee.

No fee shall be required of any public agency or public utility company operating under a franchise issued by the city or state of California.

08.01.270 Remedies

No provisions of this chapter shall be deemed to bar any legal, equitable, or summary remedy to which the city or any person may otherwise be entitled.

08.01.280 Violation

Any person, firm or corporation violating any of the provisions of this chapter, including any or all other amendments, revisions or supplements, is guilty of an infraction and, upon conviction, shall be punished accordingly, as set forth in Isleton Municipal Code Chapter 1.10 Administrative Citations of this code. If any violation is continued, each day's violation is deemed a separate infraction.

City of Isleton

Special City Council
Staff Report

DATE: March 8, 2022

ITEM#: 7.B

CATEGORY: New Business

CITY OF ISLETON TREE INVENTORY SUMMARY REPORT FEBRUARY 2022; DIRECTION

SUBJECT

Arbor Pro conducted a comprehensive inventory of City trees. Arbor Pro surveyed a total of 225 tree sites throughout the City (see attached report).

SUMMARY

Arbor Pro's report includes a recommendation to remove three trees. Trees designated for removal have defects that cannot be cost-effectively or practically treated. Large dead and dying trees are liability risks. Staff is recommending to remove these three trees:

Address	Tree Common Name	Reason
101 2 nd Street (back of City Hall)	Fremont Cottonwood	Basal decay, decay under growths, bark sloughing off, die back present, water shoots a sign of street. Can get probed but it's not doing well.
307 2 nd Street (Public Restroom)	Valley Oak	Base is hollowed out, not safe. Decay fungi at 30ft.
308 Delta Avenue	London Plane Tree	Decay and Hollow inside.

Arbor Pro is an urban forestry consulting firm and tree management software company that provides municipalities, universities, utility companies, and tree contractors with the highest quality tree inventories, tree inventory software, reporting and diagnostics, as well as Urban Forest Services. A copy of Arbor Pro report including tree inventory is attached.

FISCAL IMPACT

Staff is collecting quotes for tree removal costs.

RECOMMENDATION

Staff is requesting that City Council to review and give direction.

ATTACHMENTS

1. Arbor Pro City of Isleton Tree Inventory Summary Report February 2022

Written by: Diana O'Brien

Reviewed by: Charles Bergson, City Manager

Submitted and prepared by: Yvonne Zepeda, City Clerk



City of Isleton, California Tree Inventory Summary Report February 2022

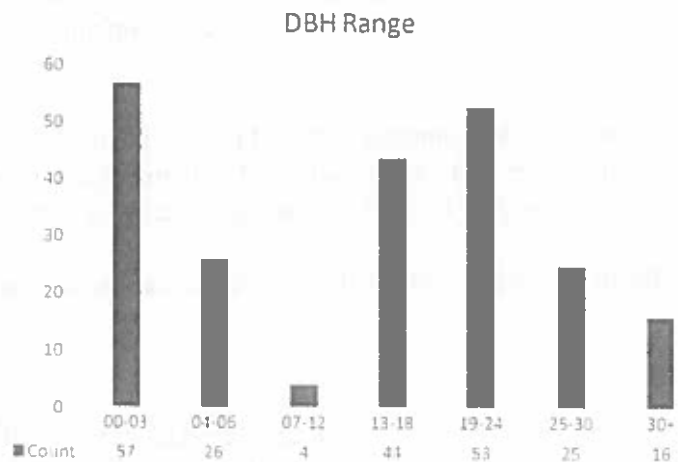
Report Summary

In December 2021, ArborPro, Inc. conducted comprehensive GPS tree inventory on trees maintained by the City of Isleton, ArborPro assigned an Inventory Arborist to perform the survey, he surveyed a total of 225 tree sites throughout the city. The purpose of this report is to review project totals and to summarize the findings of our survey

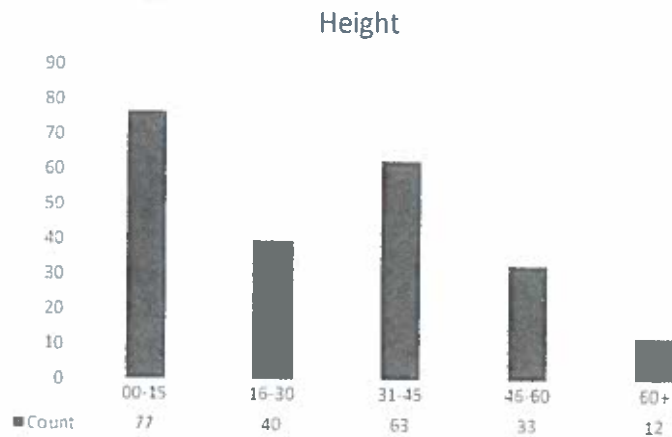
Size Characteristics

The general size of a tree provides insight into the age and value of the tree. There are two industry wide recognized size characteristics, height, and diameter at breast height. While height is self-explanatory, diameter at breast height (DBH) is determined by the diameter in inches of the tree at 4.5 feet above grade. Both the height (measured in feet) and the DBH are collected in ranges due to the dynamic growth rate of trees.

HEIGHT	COUNT	PERCENTAGE
00-15	77	10.23%
16-30	40	10.29%
31-45	63	17.64%
46-60	33	26.03%
60+	12	35.82%
Total	225	100%



HEIGHT	COUNT	PERCENTAGE
00-15	77	10.23%
16-30	40	10.29%
31-45	63	17.64%
46-60	33	26.03%
60+	12	35.82%
Total	225	100%



Tree Condition

Good – The tree has no major structural problems; no significant damage from diseases or pests; no significant mechanical damage; a full, balanced crown, and normal twig condition and vigor for its species.

Fair – The tree may exhibit the following characteristics: minor structural problems and/or mechanical damage; significant damage from non-fatal or disfiguring diseases; minor crown imbalance or thin crown; minor structural imbalance; or stunted growth compared to adjacent trees.

Poor – The tree appears healthy but may have structural defects. This classification also includes healthy trees that have unbalanced structures or have been topped. Trees in this category may also have severe mechanical damage, decay, severe crown dieback or poor vigor/failure to thrive.

Dead – Trees in advanced states of decline are not included. This category refers only to dead trees.

CONDITION	COUNT	PERCENTAGE
Good	53	23.56%
Fair	143	63.56%
Poor	25	11.11%
Dead	4	1.78%
Total	225	100.00%

Recommended Maintenance

Priority 1 Removal. - Trees designated for removal have defects that cannot be cost- effectively or practically treated. The majority of the trees in this category has a large percentage of dead crowns and poses an elevated level of risk for failure. Any hazards that could be seen as potential dangers to persons or property and seen as potential liabilities would be in this category. Large dead and dying trees that are high liability risks are included in this category.

Priority 2 Removal - Trees that should be removed but do not pose a liability as great as the first priority will be identified here. This category would need attention as soon as “Priority One” trees are removed.

Priority 1 Prune - Trees that require priority one pruning are recommended for trimming to remove hazardous deadwood, hangers, or broken branches. These trees have broken or hanging limbs, hazardous deadwood, and dead, dying, or diseased limbs or leaders greater than four inches in diameter.

Maintenance	Count
Priority 1 Prune	1
Priority 1 Removal	3
Priority 2 Prune	16
Priority 2 Removal	26
Routine Prune	116
Training Prune	63
Total	225

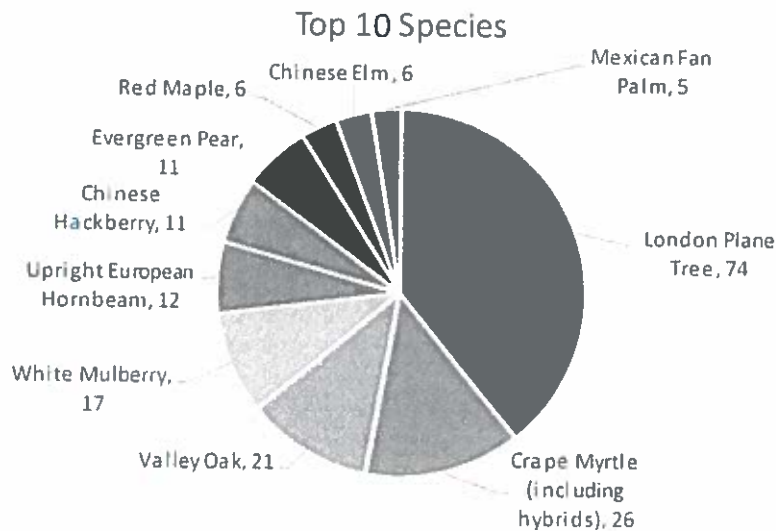
Priority 2 Prune - These trees have dead, dying, diseased, or weakened branches between two and four inches in diameter and are potential safety hazards.

Routine Prune - These trees require routine horticultural pruning to correct structural problems or growth patterns, which would eventually obstruct traffic or interfere with utility wires or buildings. Trees in this category are large enough to require bucket truck access or manual climbing.

Training Prune - Young, large-growing trees that are still small must be pruned to correct or eliminate weak, interfering, or objectionable branches in order to minimize future maintenance requirements. These trees, up to 20 feet in height, can be worked with a pole-pruner by a person standing on the ground.

Top 10 Species

Rank	Top 10 Species	Count
1	London Plane Tree	74
2	Crape Myrtle (including hybrids)	26
3	Valley Oak	21
4	White Mulberry	17
5	Upright European Hornbeam	12
6	Chinese Hackberry	11
7	Evergreen Pear	11
8	Red Maple	6
9	Chinese Elm	6
10	Mexican Fan Palm	5



Poor and Dead Trees

We have found based on our experience that a valuable assessment from our survey is the species composition of the trees that are dead or in poor condition. Below is a listing of tree species that have been found to be in poor condition or are dead. We have also identified what percentage of the tree species surveyed have been identified as poor or dead trees. For example, we have identified 21 Valley Oaks and of the 21 trees, 4 are in poor condition or dead representing a 19.05% poor rating.

Species	Poor or Dead	Species Count	Percentage of Species
<i>Alnus oregona</i>	2	2	100.00%
<i>Carpinus betulus</i> 'Fastigiata'	1	12	8.33%
<i>Celtis australis</i>	1	2	50.00%
<i>Fraxinus pennsylvanica</i>	1	1	100.00%
<i>Lagerstroemia indica</i> (and hybrids)	2	26	7.69%
<i>Morus alba</i>	1	17	5.88%
<i>Photinia fraseri</i>	1	2	50.00%
<i>Platanus x acerifolia</i>	6	74	8.11%
<i>Populus fremontii</i>	1	1	100.00%
<i>Prunus cerasifera</i>	2	3	66.67%
<i>Quercus lobata</i>	4	21	19.05%
<i>Ulmus parvifolia</i>	4	6	66.67%
<i>Washingtonia robusta</i>	1	5	20.00%
<i>Zelkova serrata</i>	2	2	100.00%

Observations

Observations provide supplemental information about the trees. Below are the top 10 most used observations. The full list can be seen in the Data Summary Spreadsheet.

Rank	Observation	Count
1	Previously Topped	64
2	Pest/Disease	18
3	Drought Stressed	17
4	Deadwood/Clean	13
5	Mechanical Damage	13
6	Remove Hardware	11
7	Pruned for Utilities	10
8	Dead Top	6
9	Codominant	5
9	Decay	5

Hardscape Damage

Hardscape	Count
No	201
Yes	24
Total	225

Clearance

There are 61 identified trees that require clearance pruning at the time of the inventory.

Clearance	Count
Building	1
Multiple	13
None	164
Pedestrian	5
Vehicle	42

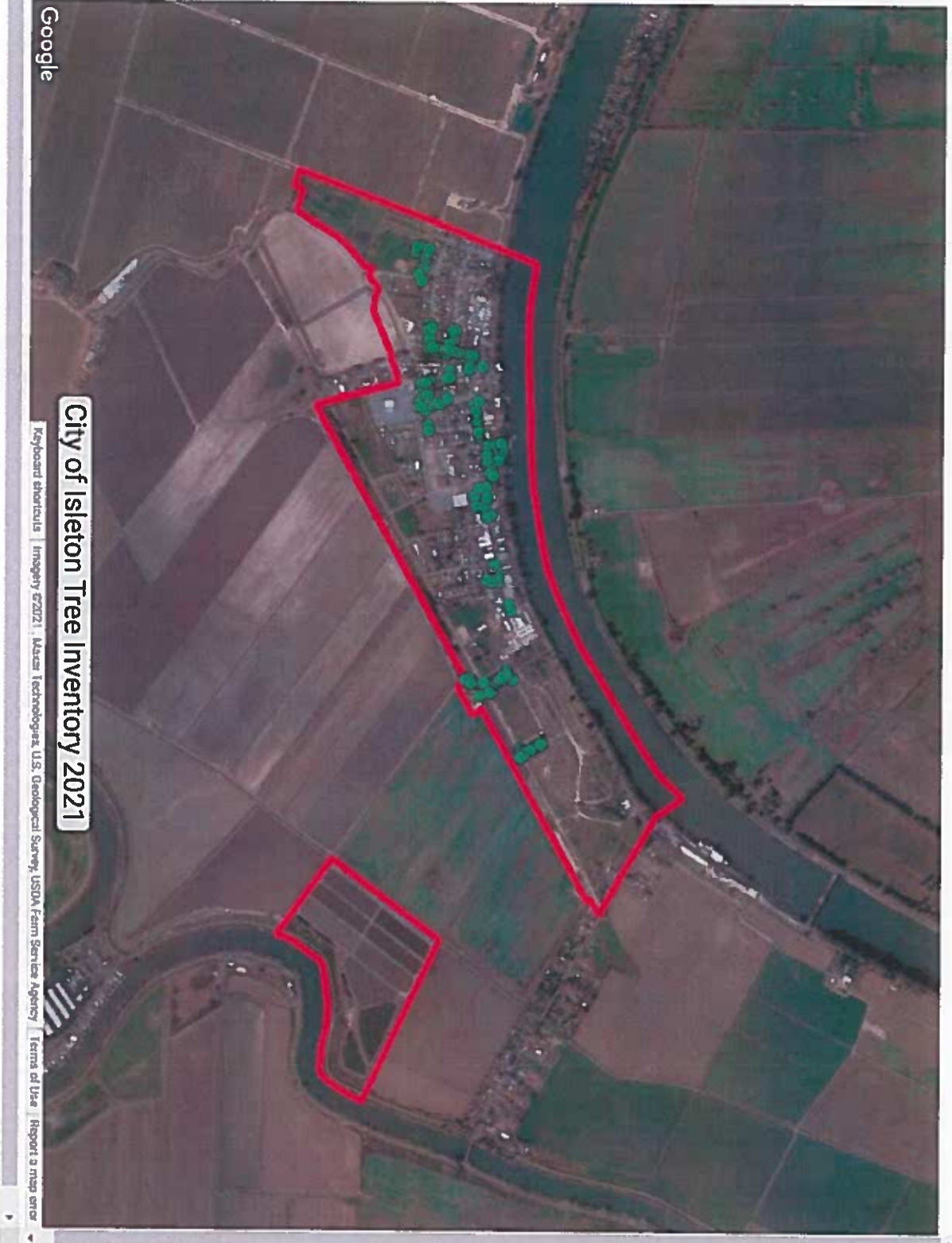
Species Distribution

There 30 distinct species for this inventory. Below is a table that lists both the common name and botanical name of each species.

Botanical Name	Common Name	Count
<i>Acer rubrum</i>	Red Maple	6
<i>Alnus oregona</i>	Red Alder	2
<i>Carpinus betulus</i> 'Fastigiata'	Upright European Hornbeam	12
<i>Celtis australis</i>	European Hackberry	2
<i>Celtis sinensis</i>	Chinese Hackberry	11
<i>Eucalyptus camaldulensis</i>	Red Gum	2
<i>Ficus carica</i>	Edible Fig	1
<i>Fraxinus pennsylvanica</i>	Green Ash	1
<i>Lagerstroemia indica</i> (and hybrids)	Crape Myrtle (including hybrids)	26
<i>Maytenus boaria</i>	Mayten	1
<i>Morus alba</i>	White Mulberry	17
<i>Nyssa sylvatica</i>	Sour Gum	2
<i>Persea americana</i>	Avocado	1
<i>Photinia fraseri</i>	Fraser Photinia	2
<i>Picea pungens</i> f. <i>glauca</i>	Colorado Blue Spruce	1
<i>Pinus pinea</i>	Italian Stone Pine	2
<i>Pistacia chinensis</i>	Chinese Pistache	1
<i>Platanus x acerifolia</i>	London Plane Tree	74
<i>Populus fremontii</i>	Fremont Cottonwood	1
<i>Prunus armeniaca</i>	Apricot	1
<i>Prunus cerasifera</i>	Purple-Leafed Plum	3
<i>Prunus persica</i>	Peach	2
<i>Pyrus kawakamii</i>	Evergreen Pear	11
<i>Quercus agrifolia</i>	Coast Live Oak	3
<i>Quercus lobata</i>	Valley Oak	21
<i>Salix matsudana</i> 'Tortuosa'	Corkscrew Willow	2
<i>Sequoia sempervirens</i>	Coast Redwood	4
<i>Ulmus parvifolia</i>	Chinese Elm	6
<i>Washingtonia robusta</i>	Mexican Fan Palm	5
<i>Zelkova serrata</i>	Sawleaf Zelkova	2

Removal Order ID	Property Address	On Street	Parkway Type	Parkway Size	Common Name
1	210 Isleton	2ND ST	Tree Well	14	Fremont Cottonwood
2	108 Isleton	2ND ST	Park	99	Valley Oak
3	209 Isleton	DELTA AVE	Parkway	3	London Plane Tree
4	114 Isleton	2ND ST	Median	99	Valley Oak
5	89 Isleton	2ND ST	Park	99	Valley Oak
6	75 Isleton	2ND ST	Park	99	Mexican Fan Palm
7	167 Isleton	DELTA AVE	Parkway	3	London Plane Tree
8	88 Isleton	2ND ST	Park	99	Valley Oak
9	152 Isleton	Andrus CT	Park	99	White Mulberry
10	86 Isleton	2ND ST	Park	99	Green Ash
11	50 Isleton	MAIN ST	Park	99	Mayten
12	76 Isleton	JACKSON BLVD	Tree Well	3	Evergreen Pear
13	84 Isleton	2ND ST	Park	99	Red Alder
14	77 Isleton	2ND ST	Park	99	Fraser Photinia
15	79 Isleton	2ND ST	Park	99	Purple-Leafed Plum
16	91 Isleton	2ND ST	Park	99	Purple-Leafed Plum
17	22 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
18	68 Isleton	2ND ST	Median	4	Crape Myrtle (including hybrids)
19	29 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
20	69 Isleton	2ND ST	Median	4	Crape Myrtle (including hybrids)
21	17 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
22	24 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
23	27 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
24	25 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
25	23 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
26	26 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
27	28 Isleton	JOSEPH PL	Open/Unrestricted	99	Upright European Hornbeam
28	30 Isleton	JOSEPH PL	Open/Unrestricted	99	Crape Myrtle (including hybrids)
29	20 Isleton	JOSEPH PL	Open/Unrestricted	99	Red Maple
				99	Upright European Hornbeam

Botanical Name
Populus fremontii
Quercus lobata
Platanus x acerifolia
Quercus lobata
Quercus lobata
Washingtonia robusta
Platanus x acerifolia
Quercus lobata
Morus alba
Fraxinus pennsylvanica
Maytenus boaria
Pyrus kawakamii
Alnus oregona
Photinia fraseri
Prunus cerasifera
Prunus cerasifera
Carpinus betulus 'Fastigiata'
Lagerstroemia indica (and hybrids)
Carpinus betulus 'Fastigiata'
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Carpinus betulus 'Fastigiata'
Carpinus betulus 'Fastigiata'
Carpinus betulus 'Fastigiata'
Carpinus betulus 'Fastigiata'
Carpinus betulus 'Fastigiata'
Lagerstroemia indica (and hybrids)
Acer rubrum
Carpinus betulus 'Fastigiata'



Google

City of Isleton Tree Inventory 2021

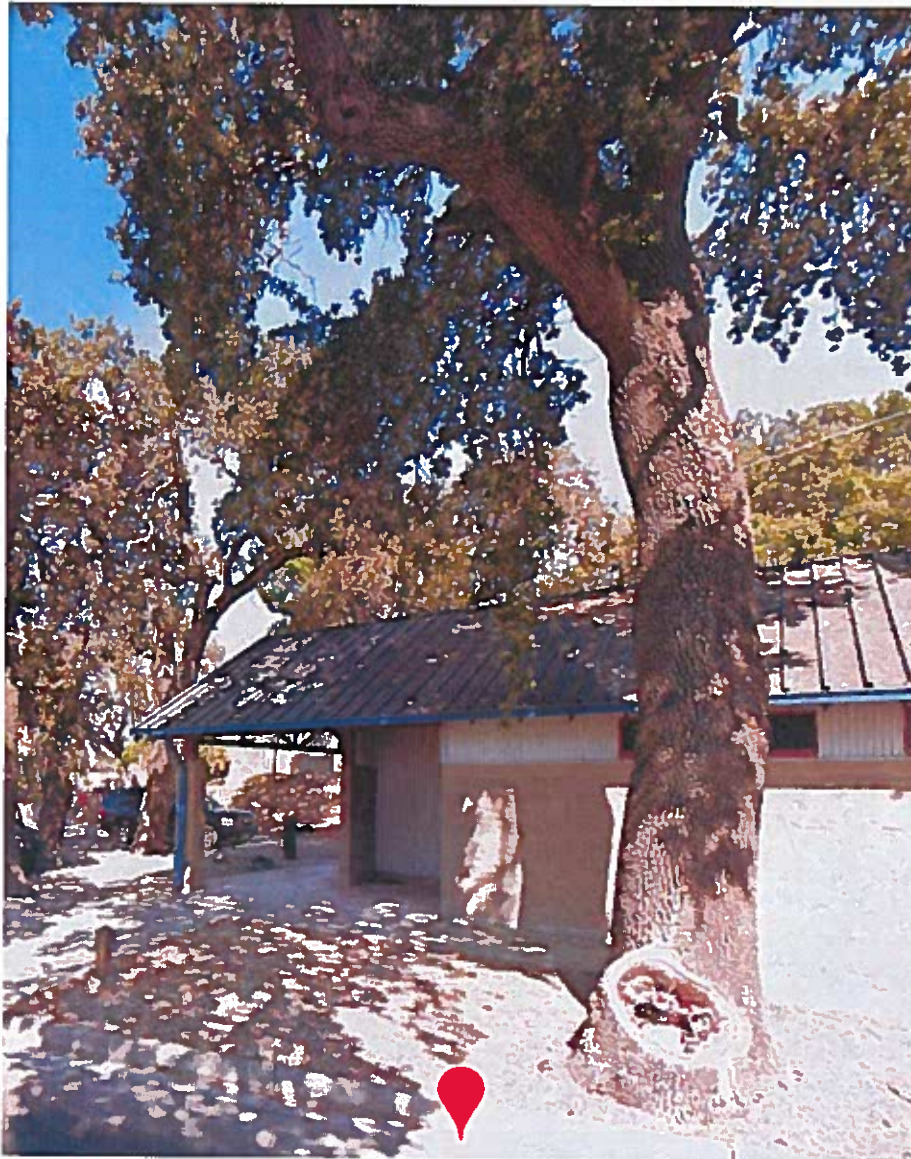
101 2nd Street (Behind City Hall)

11/24/2021 10:25:19



Tree ID	210	On Street	2 nd Street
Common	Freemont Cottonwood	Property Address#	101
Botanical	Populus fremontil	Side	Rear
Species ID	229	Property Street	2 nd Street
Tree Condition:	Poor	Site Number	0
DBH Range	30+	Parkway Type	Tree Well
Exact DBH	99	Parkway Size	14
Height Range	60+	Hardscape Damage	No
Exact Height	75	Clearance	No Data
Crown	70	Utility Conflict	No
# of Trunks	1	Observations	Decay
Tree Tag	No Data	Notes Basal decay, decay under growths, bark sloughing off, die back present, water shoots a sign of stress. Can get probed but it's not doing well	
Status	Tree		
Recommended Maintenance	Priority 1 Removal		
Property	Isleton	Created By	emcgrath@arborprousa.com
On Address#	0	Last Edited On	11/24/2021
Fictitious	Y		

307 2nd Street (HWY 160)



Tree ID	108	On Street	2 nd Street
Common	Valley Oak	Property Address#	207
Botanical	Quercus lobate	Side	Park
Species ID	254	Property Street	2 nd Street
Tree Condition:	Fair	Site Number	0
DBH Range	30+	Parkway Type	Park
Exact DBH	40	Parkway Size	99
Height Range	46-60	Hardscape Damage	No
Exact Height	60	Clearance	No Data
Crown	60	Utility Conflict	No
# of Trunks	1	Observations	Decay
Tree Tag	No Data	Notes Base is hollowed out, not safe. Decay fungi @ 30 ft.	
Status	Tree		
Recommended Maintenance	Priority 1 Removal		
Property	Isleton		
On Address#	0	Created By	emcgrath@arborprousa.com
Fictitious	N	Last Edited On	11/24/2021

308 Delta Avenue



Tree ID	209	On Street	Delta Ave
Common	London Plane Tree	Property Address#	308
Botanical	Platanus x acerifolia	Side	Front
Species ID	224	Property Street	2 nd Street
Tree Condition:	Fair	Site Number	0
DBH Range	19-24	Parkway Type	Parkway
Exact DBH	21	Parkway Size	3
Height Range	31-45	Hardscape Damage	No
Exact Height	45	Clearance	No Data
Crown	28	Utility Conflict	No
# of Trunks	1	Observations	Decay
Tree Tag	No Data	Notes Hollow inside	
Status	Tree		
Recommended Maintenance	Priority 1 Removal		
Property	Isleton		
On Address#	0	Created By	emcgrath@arborprousa.com
Fictitious	N	Last Edited On	11/24/2021

City of Isleton

Special City Council Staff Report

DATE: March 8, 2022

ITEM#: 7.C

CATEGORY: New Business

CITY OF ISLETON RECORDS REVIEW, RETENTION, AND DESTRUCTION POLICY

SUBJECT

It is important that records related to the management and functions of the City of Isleton, be managed and organized in an orderly fashion to allow for the efficient management of the City and to provide public access to confirm the same. Federal and state law require the City to adopt a retention schedule for the management and destruction of City records.

SUMMARY

The purpose of this City of Isleton Records Review, Retention, and Destruction Policy ("Policy") is to comply with such laws and:

- Reduce administrative expenses and expedite procedures for records retention and destruction
- Relieve storage space and reduce the cost of storage
- Eliminate duplicative efforts by City employees
- Identify and produce records faster
- Efficiently dispose of obsolete and old records

This Policy shall apply to all City departments. All records shall be retained and destroyed in compliance with this Policy and on the timeline indicated in Appendix A to this Policy, attached. A record may only be retained beyond the period indicated in Appendix A if it contains information related to one of the following categories.

- Serves the City's corporate memory;
- Has enduring business value (e.g., business transaction, evidences City's rights or obligations, protects City's legal interests, ensures operational continuity); or
- Must be kept to satisfy legal, accounting, or other regulatory requirements.

The City prohibits the retention or destruction of any record in contradiction to this Policy. Staff is presenting this policy for Council consideration and comment. It is planned to return to Council in April and recommend that this policy be adopted.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

Staff recommends that City Council review and comment on City of Isleton Records Review, Retention, and Destruction Policy.

ATTACHMENTS

- City of Isleton Records Review, Retention, and Destruction Policy from City Attorney.

Reviewed by: Charles Bergson, City Manager _____



Submitted and prepared by: Yvonne Zepeda, Deputy City Clerk _____



CITY OF ISLETON RECORDS REVIEW, RETENTION, AND DESTRUCTION POLICY

Adopted _____, 2021

Section 1. PURPOSE AND APPLICATION

It is important that records related to the management and functions of the City of Isleton, and its subsidiaries, be managed and organized in an orderly fashion to allow for the efficient management of the City and to provide public access to confirm the same. Federal and state law require the City to adopt a retention schedule for the management and destruction of City records. The purpose of this City of Isleton Records Review, Retention, and Destruction Policy ("Policy") is to comply with such laws and:

- Reduce administrative expenses and expedite procedures for records retention and destruction
- Relieve storage space and reduce the cost of storage
- Eliminate duplicative efforts by City employees
- Identify and produce records faster
- Efficiently dispose of obsolete and old records

This Policy shall apply to all City departments. All records shall be retained and destroyed in compliance with this Policy and on the timeline indicated in Appendix A to this Policy, attached hereto and incorporated herein. A record may only be retained beyond the period indicated in Appendix A if it contains information related to one of the following categories. If you are unsure whether to retain a certain record, contact the Records Management Officer or the Legal Department.

- Serves the City's corporate memory;
- Has enduring business value (e.g., business transaction, evidences City's rights or obligations, protects City's legal interests, ensures operational continuity); or
- Must be kept to satisfy legal, accounting, or other regulatory requirements.

The City prohibits the retention or destruction of any record in contradiction to this Policy. Failure to comply with this Policy may result in fines and penalties against the City and/or the responsible employee, loss of rights, obstruction of justice charges, inference of spoliation of evidence and spoliation tort claims, contempt of court, and serious disadvantage in litigation.

Section 2. TYPES OF RECORDS

(a) *Record* means any writing containing information relating to the conduct of the City's business prepared, owned, used, or retained by the City regardless of physical form or characteristics. This includes records in handwriting, typewriting, printing, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing. Records may be in hard copy or electronic. Examples of records include, but are not limited to:

- ◆ Appointment books and calendars
- ◆ Audio and video recordings, including voicemails

- ◆ Computer programs
- ◆ E-mails and electronic files
- ◆ Handwritten notes, letters and other correspondence
- ◆ Invoices, receipts, and work orders to and from the City
- ◆ Cell phone call and message records (**City Cell Phones**)
- ◆ Social media and other online posts, comments, and shares on City accounts, made on the City's behalf, or made in an official capacity
- ◆ Personnel records, background materials, and performance reviews
- ◆ Incident reports

(b) **Transitory Records** are records not retained in the ordinary course of City business that do NOT have substantive content. Transitory Records are not subject to this Policy and may be destroyed at the discretion of the user once the Transitory Record has served its temporary purpose. Examples of Transitory Records include:

- ◆ Duplicates of originals that have not been annotated
- ◆ Preliminary drafts of letters, memoranda, reports, worksheets and informal notes that do not represent significant steps or decisions in the preparation of an official record
- ◆ Books, periodicals, manuals, training binders and other printed materials obtained from sources outside of City of Isleton and retained primarily for reference purposes
- ◆ Spam and junk mail

(c) **Other Records** are records not related to the conduct of the City's business. Other Records are not subject to this Policy and may be destroyed at the discretion of the user. This includes information from non-City sources, whether confidential or not. Unsolicited information submitted to the City should be refused, returned to sender, and deleted, whichever is applicable.

Section 3. MANDATORY COMPLIANCE

(a) **Responsibility of All City Employees, Officers, and Agents.** It is City policy to comply with all laws, rules and regulations applicable to the City. All City employees, contractors, officers and agents shall comply with this Policy. Failure to do so may subject the City, as well as City employees, contractors, officers and agents, to civil and/or criminal liability, penalties, and fines. Failure to comply with this policy may result in disciplinary action, including suspension or termination.

(b) **Reporting Policy Violations.** The City is committed to enforcing this Policy as it applies to all City records. The effectiveness of City of Isleton's efforts, however, depends largely on employees. If a City employee, contractor, officer, or agents suspects or knows they or someone else violated this Policy, he or she shall report it immediately to a supervisor or, in addition or in the alternative, raise the matter with the Records Management Officer.

Section 4. RECORDS MANAGEMENT DEPARTMENT AND OFFICER

The Records Management Department is responsible for identifying the documents that City of Isleton must or should retain, and determining, in collaboration with the Legal Department, the proper period of retention. It also arranges for the proper storage and retrieval of records, coordinating with outside vendors where appropriate. Additionally, the Records Management Department handles the destruction of records whose retention period has expired.

The City has designated the City Clerk (**City Manager**) as the Records Management Officer. The Records

Management Officer is head of the Records Management Department and is responsible for:

- Administering this Policy and helping department heads implement it.
- Monitoring departmental compliance so that employees know how, and do, follow this Policy
- Ensuring that senior management is aware of their record management responsibilities.
- Developing and implementing measures to ensure confidential records are kept as such.
- Establishing standards for filing, storage, and destruction of records.
- Explaining to employees their duties relating to this Policy.
- Ensuring that the maintenance, preservation, destruction, or other disposition of City records is carried out in accordance with this Policy and federal and state law.
- Planning an annual records destruction exercise and an annual records audit, including setting deadlines for responses from departmental staff.
- Maintaining records on the volume of records destroyed under the Policy.
- Evaluating the overall effectiveness of the document management program.
- Working with the City Attorney to ensure compliance with law and regulations.

Section 5. RETENTION AND DESTRUCTION OF RECORDS

(a) Retention. City of Isleton's records must be stored in a safe, secure, and accessible manner, as determined by the Records Management Officer.

(b) Destruction. The Record Management Officer is responsible for the continuing process of identifying the records that have met their required retention period and supervising their destruction in collaboration with the City Attorney. The destruction of confidential, financial and personnel-related records must be conducted by shredding if possible. Non-confidential records may be destroyed by recycling. The destruction of electronic records must be coordinated with the IT Department.

(c) Litigation Holds and Other Special Situations. All City employees, contractors, officers and agents are required to comply with this Policy. However, if such person believes, or the City Attorney informs them, that City records are relevant to current litigation, potential litigation, government investigation, audit or other event, they must preserve and not delete, dispose, destroy or change those records, including e-mails, until the City Attorney determines those records are no longer needed. This exception is referred to as a litigation hold or legal hold and replaces any previously or subsequently established destruction schedule for those records. If you believe this exception may apply, or have any questions regarding whether it may possibly apply, please contact the Record Management Officer. Routine document destruction procedures may also be suspended in connection with certain other types of events; in such case the Record Management Officer shall communicate the reason and duration.

Section 6. AUDITS AND INQUIRIES

(a) Internal Review and Policy Audits. The Records Management Officer will periodically review this Policy with legal counsel to ensure the City is in full compliance with relevant law and regulations. Additionally, City of Isleton will regularly audit employee files and computer hard drives to ensure compliance with this Policy.

(b) Inquiries. Any question about this Policy should be directed to the Records Management Officer.

Acknowledgment of Receipt and Review

I, _____ acknowledge on this ___ day of _____, _____, I received a copy of City of Isleton's Records Review, Retention, and Destruction Policy and that I read it, understood it, and agree to comply with it. I further understand that it is my responsibility to be familiar with the Policy and abide by its terms and my failure to do so may expose me, the City, and other City agents to civil and/or criminal fines, penalties, and liability.

I understand that City has the maximum discretion permitted by law to interpret, administer, change, modify or delete the Policy at any time. No statement or representation by a supervisor or manager or any other employee, whether oral or written, can supplement or modify the Policy. Changes can only be made if approved in writing by the City Council to the City of Isleton. I agree to bring any questions or concerns regarding the policy to the attention of my manager, the Records Management Officer, or City Attorney.

Signature

Printed Name

Date

APPENDIX A
CITY-WIDE RECORDS REVIEW, RETENTION, AND
DESTRUCTION SCHEDULE

This table lists the period for which the City shall retain records based on the record type. Following the applicable retention period, a record should be destroyed in collaboration with the Records Management Officer and City Attorney. Records may also be held back from destruction pursuant to the City's Records Review, Retention and Destruction Policy.

RECORD	RETENTION PERIOD	CITATION
Personnel Records		
Benefits descriptions per employee	Permanent/4 years	
Collective bargaining agreements	3 years	
Donor records and acknowledgement letters	7 years	
EEO-1 Reports (Employer Information Report)	Filed annually with the EEOC and the Department of Labor, Office of Federal Contract Compliance Programs, most recent kept on file	
Employee applications and resumes	4 years/1 year	
Employee benefit plans subject to ERISA (includes plans regarding health and dental insurance, 401K, long-term disability and Form 5500)	6 years from when the record was required to be disclosed	
Employee offer letters (and other documentation regarding hiring, promotion, demotion, transfer, lay-off, termination or selection for training)	1 year from date of making record or action involved, whichever is later, or 1 year from date of involuntary termination	
Records relating to background checks on employees	5 years from when the background check is conducted	
Employment contracts; employment and termination agreements	3 years from their last effective date	

RECORD	RETENTION PERIOD	CITATION
Employee records with information on pay rate or weekly compensation	3 years	
Hazardous material exposures	Duration of employment + 30 years	
I-9 Forms	3 years after date of hire or 1 year after employment is terminated, whichever is later/3 years after date of hire]	
Injury and Illness Incident Reports (OSHA Form 301) and related Annual Summaries (OSHA Form 300A); Logs of work-related injuries and illnesses (OSHA Form 300)	5 years following the end of the calendar year that these records cover	
Supplemental record for each occupational injury or illness (OSHA Form 101); Log and Summary of Occupational Injuries and Illnesses (OSHA Form 200)	5 years following the year to which they relate	
Job descriptions, performance goals and reviews; garnishment records	[Termination + 7 years/2 years]	
Employee polygraph test records	3 years	
Employee tax records	4 years from the date tax is due or paid	
Medical exams required by law	Duration of employment + 30 years	
Personnel or employment records [made or kept by a contractor or subcontractor with at least 150 employees or at least \$150,000 in federal government contracts]	2 years from the date the record was made or personnel action was taken, whichever is later	
Personnel or employment records [made or kept by a contractor or subcontractor with less than 150	1 year from the date the record was made or personnel action was taken, whichever is later	

RECORD	RETENTION PERIOD	CITATION
employees or less than \$150,000 in federal government contracts]		
Pension plan and retirement records	Permanent	
Pre-employment tests and test results	1 year from date of personnel action	
Salary schedules; ranges for each job description	2 years	
Time reports	Termination + 3 years	
Training agreements, summaries of applicants' qualifications, job criteria, interview records and identification of minority and female applicants	Duration of training + 4 years	
Workers' compensation records	Duration of employment + 30 years	
Written affirmative action program (AAP) and supporting documents	For immediately preceding AAP year, unless it was not then covered by the AAP year	
Payroll Records		
Payroll registers (gross and net)	[Permanent/3 years from the last date of entry]	
Federal procurement contract and related weekly payroll documents	4 years from completion of contract	
Time cards; piece work tickets; wage rate tables; pay rates; work and time schedules; earnings records; records of additions to or deductions from wages; records on which wage computations are based	2 years	
W-2 and W-4 Forms and Statements	As long as the document is in effect + 4 years	
Corporate Records		
Articles of Incorporation, Bylaws, Corporate Seal	Permanent	

RECORD	RETENTION PERIOD	CITATION
Annual corporate filings and reports to secretary of state and attorney general	Permanent	
Board policies, resolutions, meeting minutes and committee meeting minutes	Permanent	
Contracts	Permanent if current (7 years if expired)	
Construction documents	Permanent	
E-mails (business related)	3 years	
Fixed Asset Records	Permanent	
IRS Form 1023 (Application for charitable and/or tax-exempt status)	Permanent	
IRS Determination Letter	Permanent	
Sales and purchase records	3 years	
State sales tax exemption documents	Permanent	
Records and reports on investigational drugs [for sponsors of clinical trials, usually pharmaceutical companies]	2 years from when marketing application is approved for the drug. If marketing application is not approved for the drug, retain until 2 years after shipment and delivery of the drug for investigational use is discontinued and FDA has been so notified	
Resolutions	Permanent	
Securities Records		
Audit and review workpapers	5 years from the end of the fiscal period in which the audit or review was concluded	
Blotters or other records of original entry containing the itemized daily record of all purchases and sales of securities [applicable to broker-dealers]	6 years (for first 2 years, records must be kept in an easily accessible place)	

RECORD	RETENTION PERIOD	CITATION
Documents supporting management's assessment of internal controls over financial reporting	Permanent	
List of clients that are covered associates and government entities	5 years (but not prior to September 13, 2010)	
Order tickets for brokerage orders; customer complaints; compensation records	3 years (the first 2 years in an easily accessible place)	
Original signature pages or other documents showing the signatures of certifying officers in SEC filings	5 years from date of filing	
Records related to political contributions to officials and candidates and payments to state or local political parties and political action committees [applicable to investment advisers]	5 years (but not prior to September 13, 2010)	
Records relevant to an audit or review, including memoranda, correspondence and other communications	7 years after conclusion of audit or review	
Accounting and Finance		
Accounts Payable and Receivables ledgers and schedules	7 years	
Annual audit reports and financial statements	Permanent	
Annual plans and budgets	2 years	
Bank statements, cancelled checks, deposit slips	7 years	
Business expense records	7 years	
Cash receipts	3 years	

RECORD	RETENTION PERIOD	CITATION
Check registers	Permanent	
Electronic fund transfer documents	7 years	
Employee expense reports	7 years	
General ledgers	Permanent	
Journal entries	7 years	
Invoices	7 years	
Petty cash vouchers	3 years	
Tax Records		
Annual tax filing for the organization (IRS Form 990 in the US)	[Permanent/7 years]	
Filings of fees paid to professionals (IRS Form 1099 in the US)	7 years	
Payroll tax withholdings	7 years	
Earnings records	7 years	
Payroll tax returns	7 years	
State unemployment tax records	Permanent	
Legal and Insurance Records		
Appraisals	Permanent	
Copyright registrations	Permanent	
Environmental studies	Permanent	
Insurance claims/ applications	Permanent	
Insurance disbursements and denials	Permanent	
Insurance contracts and policies (Directors and Officers, General Liability, Property, Workers'	Permanent	

RECORD	RETENTION PERIOD	CITATION
Compensation)		
Leases	6 years after expiration	
Patents, patent applications, supporting documents	Permanent	
Real estate documents (including loan and mortgage contracts, deeds)	Permanent	
Stock and bond records	Permanent	
Trademark registrations, evidence of use documents	Permanent	
Warranties	Duration of warranty + 7 years	

RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accident/Illness Reports	Not a public record For Employee Medical Records & Employee Exposure Records regarding exposure to toxic substances or harmful physical agents --Includes Material Safety Data Sheets (MSDS) Does NOT include: records of health insurance claims maintained separate from employer's records; first aid records of one-time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination	GC 6254(c) 8 CCR 3204(d)(1)(A)(B)	Length of employment + 30 years
Accidents/Damage to City Property	Risk management administration	GC 34090 CCP 337.15	10 years
Accounting Records – General Ledger	General Ledger	GC 34090 CCP 337	Until audited + 4 years Published articles show 4 – 7 years retention as typical Sec. of State Guidelines recommends permanent retention.
Accounting Records – Permanent Books of Accounts	Records showing items of gross income, receipts and disbursement (including inventories, per IRS regulations)	26 CFR 1.6001-1(c) & (e)	Permanent

Legal Authority Abbreviations

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accounts Payable	Journals, statements, asset inventories, account postings with supporting documents, vouchers, investments, invoices and back-up documents, purchase orders, travel expense reimbursements, petty cash, postage, PERS reports, check requests, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation	Until audited + 4 years
Accounts Receivable	Receipts for deposited checks, coins, currency; checks received, reports, investments, receipt books, cash receipts, cash register tapes, payments for building permits/parking permits/Transient Occupancy Tax, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation	Until audited + 4 years
Affidavits of Publication / Posting	Legal notices for public hearings, publication of ordinances, etc.	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Agency Report – Events and Ticket/Pass Distribution (FPFC Form 802)	Report of tickets/passes; identifies persons who received tickets/passes and describes the public purpose for the distribution	GC 81009(e)	7 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agency Report of New Positions (FPPC Form 804)	Identifies new positions that will make or participate in making governmental decisions on behalf of the City	GC 81009(e)	7 years
Agency Report of Public Official Appointments (FPPC Form 806)	Report of additional compensation received by agency officials when appointing themselves to committees, boards or commissions of other public agencies, special districts, joint powers agencies or joint powers authorities. <u>Copy of current report must be posted on the City's website.</u>	2 CCR 18702.5(b)(3); GC 81009(e)	Original - 7 years
Agenda / Agenda Packets	City Council, Successor Agency, Commissions – agendas and packets can be imaged immediately for retention, if desired.	GC 34090 GC 34090.5	2 years
Agenda reports (staff reports)	Council/Successor Agency/Commissions - Originals can be imaged immediately for retention, if desired. The imaged record can serve as the “original” record, if desired.	GC 34090 GC 34090.5	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agreements (See also Contracts)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/completion
	Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337.15	10 years after termination/completion
Annexations / Reorganizations	Notices, Resolutions, Certificates of Completion	GC 34090	Permanent
Annual Financial Report	May include independent auditor analysis	GC 34090	Until audited + 2 years Sec. of State Guidelines recommends while current + 7 years
Applications for Boards, Commissions Committees	Not selected	GC 34090	2 years
Applications for Boards, Commissions, Committees	Selected	GC 34090 Sec. of State Guidelines	Current + 5 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Appraisals	For Real Property Owned by City – Not a public record until real estate transaction is complete	GC 34090 GC 6254(h)	2 years
Articles of Incorporation		GC 34090	Permanent
Assessment Districts	Original Documentation	GC 34090	Permanent
Audit Hearing or Review	Documentation created and or received in connection with an audit hearing or review	GC 34090	2 years
Audit Reports	Financial services; internal and/or external reports	GC 34090 CCP 337 CCP 343	Current + 4 years Sec. of State Guidelines recommends permanent retention
Backflow Test Reports	Reports of testing and maintenance – water supply	17 CCR § 7605	3 years
Bank Account Reconciliations	Bank statements, receipts, certificates of deposit, etc.	26 CFR 31.6001-1(e)(2)	4 years (Sec. of State Guidelines – recommended retention: until audited + 5 years)
Behested Payment Report (FPPC Form 803)	Shows payments made by persons or entities at the behest of elected City officials for legislative, governmental or charitable purposes	GC 81009(e)	7 years

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Bids, Successful	Includes plan and specifications; notices/affidavits.	GC 34090 CCP 337, 337.1	4 years
Bids, Unsuccessful	Unsuccessful bid packages only	GC 34090	2 years
Billing Records	Utility bill stubs – submitted with payment	GC 34090	Current + 2 years
Bonds	Authorization/public hearing records/prospectus/proposals/certificates/notices (transcripts)/registers/statements.	CCP 336a, 337.5	Upon cancellation, redemption or maturity + 10 years
Bonds, Development	Housing; Industrial Development	CCP 337.5	10 years
Bonds, Employee (Fidelity Bonds)	Form of insurance that covers employer (City) for losses resulting from fraudulent acts of specified employees	GC 34090	Length of employment + 2 years
Bonds - Final	Final bond documentation; monthly statement of transactions; supporting documents	GC 34090 CCP 337.5	Upon cancellation, redemption or maturity +10 years
Bonds – Paid/Cancelled	Paid or cancelled bonds; warrant certificates; interest coupons	GC 34090 GC 53921	2 years
Bonds, Surety	Documentation created and/or received in connection with the performance of work/services for the City, or for parcel maps and subdivision work	CCP 337	4 years
Bonds – Unsold/Unused	Unsold/unused bonds	GC 34090 GC 43900 et seq.	2 years (specific requirements for disposal of unused bonds)
Brochures/ Publications	Informational/promotional documents created for or by the City	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Budget, Annual	Annual operating budget approved by City Council	GC 34090	Current + 2 years Sec. of State Local Gov't. Records Mgmt. Guidelines recommends permanent retention.
Building, Blueprints/ Specifications	Copies submitted by contractors with application for building permit or Certificate of Occupancy	GC 34090	Current + 2 years
Building, Certificates	Compliance, elevation, occupancy – affecting title to real property or liens on real property	GC 34090	Permanent
Building, Construction (Approved)	New commercial and residential construction, tenant improvements, room additions, spas, signs, block wall, remodel (including security bonds)	CCP 337.15 GC 34090	10 years
Building, Inspection	Correspondence, fees, appeal requests, reports	GC 34090	2 years
Building, Permits	Permits for buildings; signs; grading; encroachment permits	GC 34090	Until completed + 2 years
Building Plans	Official copy -- Not to be reproduced until written permission is obtained from architect of record and current building owner (Retention requirement not applicable to buildings containing a financial institution or public utility.)	GC 34090 H&S 19850, 19851	For the life of the building

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Building, Signs (temporary)	Home occupation, off-premise signs	GC 34090	2 years
Business License Annual Reports	Finance	GC 34090	2 years
Business Licenses/Permits	City issued	GC 34090	While current plus 2 years
Cal-OSHA	Log of work related injuries & illnesses (Form 300), Annual Summary (Form 300A), Incident reports (Form 301)	LC 6410; 8 CCR 14300.33	5 years
California State Tax Records	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years
Campaign Statements - Mayor, City Council - <u>elect</u> ed (originals)	<u>Original</u> statements of elected candidates and committees supporting elected candidates for Mayor, City Council	GC 81009(b) GC 81009(g)	Permanent (can image after 2 years)
Campaign Statements - candidates for Mayor, City Council - <u>not elect</u> ed (originals)	<u>Original</u> statements of candidates and supporting committees for candidates not elected for Mayor, City Council	GC 81009(b) GC 81009(g)	5 years (can image after 2 years)
Campaign Statements for other than Mayor, City Council; other campaign reports (originals)	<u>Original</u> statements of all other persons and committees; other original reports and statements	GC 81009(c), (e) GC 81009(g)	7 years (can image after 2 years)
Campaign Statements/Reports -- Copies	<u>Copies</u> of reports/statements (if filing officer is not required to keep more than one copy)	GC 81009(f) GC 81009(g)	4 years (can image after 2 years)
Certificates of Compliance	Building department documents	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Checks (City-issued)	Includes payroll checks; canceled or voided checks; copies of checks; electronic versions of checks	GC 34090 CCP 337 26 CFR 31.6001-1(e)(2)	Until audited +4 years (Sec. of State Guidelines – recommended retention: until audited + 5 years)
Citizen Feedback	General correspondence.	GC 34090	2 years
Claims Against the City	Paid/Denied	GC 34090	Until settled + 2 years
Code Enforcement, Case files (see Nuisance Abatement)	Building, housing and mobile home code violation records including inspections; public nuisance rubbish and weed abatement, citations [records on vehicle abatement/abandoned vehicles are generally Police Records]	GC 34090	Until closed + 2 years
Code Enforcement, Liens & Releases	Utilities, abatement, licenses	GC 34090	Current + 2 years Keep recorded liens until lien is paid/satisfied
Code Enforcement - Logs	Documentation of investigations and follow-up	GC 34090	Current + 2 years
Code Enforcement Regulations	Other than regulations in City's Municipal Code	GC 34090	2 years
Code Enforcement Reports, Federal and State	Code enforcement statistics	GC 34090	Current + 2 years
Collective Bargaining Agreements	Memoranda of Understanding (MOUs) with employee unions; represented employee groups	29 CFR 516.5(b)	Current + 3 years
Community Surveys	Review final survey reports for historic significance	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Complaints - Miscellaneous	Miscellaneous complaints, non-code enforcement, not related to specific lawsuits involving the City and not otherwise specifically covered by the Retention Schedule.	GC 34090	2 years
Comprehensive Annual Financial Reports (CAFR)	Finance	GC 34090 CCP 337	Until audited + 4 years
Conflict of Interest Code	Conflict of Interest Code – required under Political Reform Act; must be reviewed by July 1st of every even-numbered year and amended if necessary	GC 87300 et seq.	Permanent
Contracts, City (see also Agreements)	Original contracts and agreements and back-up materials, including leases, license agreements, service/maintenance contracts, etc.	CCP 337 CCP 337.2 CCP 343	4 years after termination/ completion
	Original contracts/agreements regarding the development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, retention withheld, change orders, etc.	CCP 337.15	10 years after termination/completion

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Correspondence	General correspondence, including letters and e-mail; Various files, not related to specific cases and not otherwise specifically covered by the retention schedule.	GC 34090	2 years
Credit Cards, City-owned	Credit card bills or statements and related receipts.	26 CFR 31.6001-1(e)(2)	Until audited + 4 years
Deeds, Real Property (Grant Deeds)	Other records related to use of City-owned credit cards (policies, correspondence, etc.)	GC 34090	Current + 2 years
Deferred Compensation Reports	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Demographic/Statistical Data	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years
Development Agreements	Agreements for development of real property; Development and Disposition Agreements (DDAs); May include infrastructure contracts (i.e., architects, treatment plants, utility lines, etc.), franchises, etc.	GC 34090	Current + 2 years
Development Conditions	Mitigation measures; filed with project files	CCP 337, 337.1, CCP 337.15 GC 34090 48 CFR 4.703	Permanent (Sec. of State Guidelines recommends retaining paper original for minimum 7 years)
Development, General Subject Files	Internal working files including correspondence	GC 34090 GC 34090	For the life of the project 2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Development, Incident Files	Emergency Call Outs	GC 34090	2 years
Development Logs	Logs, registers or similar records listing permits, certificates of occupancy issued, may include inspection, building activity, daily, plan check, utility	GC 34090(a) GC 4003, GC 4004 H&S 19850 - 19853	5 years
Development, Photographs	Aerial Photographs	GC 30490	Current + 2 years
Development, Projects- Not completed or denied	Building, engineering, planning	GC 34090	2 years
Development, Reports	Activity, Periodic	GC 34090	2 years
Development, Seismic Retrofit Program	Includes Certificates of Compliance	GC 34090 H&S 19850	For the life of the building; Sec.of State Guidelines recommends permanent retention
Development Standards	Includes standards for landscaping medians, parkway landscape development, public works construction	GC 34090 Sec. of State Guidelines	Permanent
Development, Street Names and House Numbers	Includes street dedications, street vacations/closings, address assignment/changes	GC 34090 Sec. of State Guidelines	Permanent
Development, Studies, Special Projects & Areas	Engineering, joint powers, noise, transportation	GC 34090	2 years
Development, Surveys	Recording data and maps	GC 34090	Permanent

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DMV Drivers' Records Reports (DMV Pull-Notice System)	Motor Vehicle Pulls; Personnel record – not a public record	GC 34090 GC 6254(c) VC 1808.1(c)	Until superseded (should receive new report every 12 months)
Drawings, Project Plan	Does not include those usually filed with case or project.	GC 34090	2 years
Easements, Real Property	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent
Economic Development Projects	Administrative records/Staff reports/Project files	GC 34090	2 years
EEOC Records (Equal Employment Opportunity Commission)	Records, reports showing compliance with federal equal employment requirements (EEO-4 Reports, etc.)	29 CFR 1602.30	3 years
Election - Administrative Documents	Not ballot cards or absentee voter lists/applications.	GC 34090	2 years
Election – Affidavit Index	Voter registration index	EC 17001	5 years
Election - Ballots and Related Documents	STATE & LOCAL ELECTIONS: All ballot cards (voted, spoiled, canceled) arranged by precinct, unused absentee ballots, ballot receipts, absent voter identification envelopes, absentee voter applications. May be destroyed subject to any pending contest.	EC 17302, 17306, 17505	6 months

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Election - Ballots and identification envelopes – Federal offices	For elections to Federal office (President, Vice President, US Senator, US Representative)	EC 17301	22 months
Election - Ballots - Prop. 218 (Assessment Districts)	Ballots - Property related fees (Assessment Ballot proceeding) [Ballots are disclosable public records during and after tabulation]	GC 53753(e)(2)	2 years
Election - Canvass	Notifications and Publication of Election Records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results; special election results	EC 17304	6 months
Election - Election Official's Package of Documents	Package of 2 tally sheets, copy of index, challenge lists, assisted voters list. Public record - all voters may inspect after commencement of official canvass of voters	EC 17304	6 months
Election - Nomination Documents - successful	All nomination documents and signatures in lieu of filing petitions	EC 17100	Until term expires + 4 years
Election - Nomination Documents - unsuccessful		GC 81009(b)	5 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Election Petitions - Initiative/Recall/Referendum; Charter Amendments	Not a public record - documents resulting in an election - retention is from election certification.	EC 17200, 17400 GC 6253.5; EC 17400; GC 34458-60	8 months
Election Petitions - No election	Not a public record. Not resulting in an election. Retention is from final examination.	EC 17200, 17400 GC 6253.5	8 months
Election - Precinct Records	From date of election: Precinct official material; declaration of intention; precinct board member applications; orders appointing members of precinct boards and designating polling places includes notice of appointment of office and record of service	EC 17503	5 months
Election - Roster of Voters	From date of election; initiative; referendum recall; general municipal election; Charter Amendments	EC 17300	5 years
Election - Voter Affidavits	Affidavits of registration retained by the elections official	EC 17000	5 years
Employee Benefits	Benefit plans (including "cafeteria" and other plans); health insurance programs; records regarding COBRA – extension of benefits for separated employees, insurance policies (health, vision, dental, deferred compensation, etc.)	29 USC 1027 28 CCR 1300.85.1 11 CCR 560 29 CFR 1627.3(b)(2)	For life of plan/policy + 6 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Bonds (Fidelity)	Form of insurance that covers employer (City) for losses resulting from fraudulent acts of specified employees	GC 34090	While current + 2 years
Employee Files	Personnel files --Not a public record.	GC 12946 GC 6254(c) 29 CFR 1627.3	While current + 3 years
Employee Information, General	Name, address, date of birth, occupation, rate of pay and weekly compensation earned	GC 12946 29 CFR 1627.3 LC 1174	3 years
Employee Information - CEIR	Personnel--California Employer Information Report (for employers of 100 or more employees)	2 CCR 11013 (c)(1) GC 12946	Received + 2 years
Employee Information - Applicant Identification Records	Personnel--Data regarding race, gender, national origin of applicants	2 CCR 11013 (c)(2)	Received + 2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

Destruction of any City record must have City Council approval and written consent from the City Attorney, unless otherwise provided by law. (Gov. Code § 34090.)

Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee, Medical & Exposure Records (toxic substances or harmful physical agents)	<p>Medical records are part of personnel file --not a public record.</p> <p>Includes medical records made or maintained by a physician, nurse, or other health care personnel, or technician pertaining to employees exposed to toxic substances or harmful physical agents.</p> <p>Does <u>not</u> include first-aid records of one-time treatment made on-site by a non-physician or observation of minor scratches, cuts, burns, splinters, etc., which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job.</p> <p>(For employees of less than 1 year, no need to retain medical records regarding exposure to toxic substances/harmful physical agents if they are returned to employee upon termination)</p>	<p>GC 6254(c)</p> <p>29 CFR 1910.1020</p> <p>8 CCR 3204 (d)(1)(A)(B)</p>	<p>Length of employment + 30 years</p>
Employee, Medical Records (routine)	<p>Records of first aid treatment for minor injuries (burns, splinters, etc.); records relating to medical leave taken, etc.</p>	<p>GC 12946, 34090</p> <p>29 CFR 1627.3</p>	<p>Length of employment + 3 years</p>

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee, Noise Exposure	Noise exposure measurement records Employee audiometric test records	8 CCR 5100 8 CCR 5100	Current + 2 years Length of employment
Employee, Non-safety	Non-safety employee records may include release authorizations; certifications; reassignments; outside employment; commendations, disciplinary actions; terminations; oaths of office; pre-employment medical evaluations; fingerprints; identification cards (ID's)	29 CFR 1627.3 LC 1174 GC 12946 GC 34090	Length of employment + 3 years
Employee Programs	May include Employee Assistance Program (EAP), Employee Recognition program, etc.	GC 34090 GC 12946	2 years
Employee, Recruitment	Alternate lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins	GC 12946 GC 34090 29 CFR 1602.31 29 CFR 1627.3	2 years
Employee, Reports	Employee statistics, benefit activity, liability loss	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee, Safety	Police department employees (except for peace officers), fire, emergency employees-- records may include release authorizations; certifications; reassignments; outside employment; commendations; disciplinary actions; terminations; oaths of office; pre-employment medical evaluations Peace officer personnel records	29 CFR 1627.3 29 CFR 1602.31 29 CFR 516.6 et. seq. LC 1174 GC 34090 GC 12946 Op. Atty. Gen. No. 99-1111 [May 2, 2000]	Length of employment + 3 years Length of employment + 5 years
Employee Rights - General		GC 12946 29 CFR 1602.14	Length of employment + 2 years
Employment Agreements – At-Will Employees; Temporary Employees	Original agreements/contracts for at-will employees or temporary employees	CCP 337 CCP 343	Length of employment + 4 years
Employment Applications - Not Hired	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	GC 34090 GC 12946 29 CFR 1627.3(b)(1)(i)	2 years

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employment Eligibility Verification (1-9 Forms)	Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986	8 USC 1324a (b)(3) Pub. Law 99-603	3 years after date of hire, or 1 year after date of termination, whichever is later
Employment - Public Safety certifications	Certification/designations	GC 34090	Length of employment + 2 years
Employment - Surveys and Studies	Includes classification, wage rates	GC 12946 GC 34090 29 CFR 516.6	2 years
Employment - Training Records, Non-Safety	Paperwork documenting internal and external training for non-safety employees; includes any volunteer program training - class training materials, internships	GC 34090 GC 12946	Length of employment + 2 years
Employment - Vehicle Mileage Reimbursement Rates	Annual mileage reimbursement rates	GC 34090	Until superseded + 2 years
Engineering Capital Improvement Projects	Supporting documentation including bidders list, specifications, reports, plans, work orders, schedules, etc.	GC 34090, CCP 337.15	Project completion + 10 years
Engineering Construction Tracking, Daily	Daily/weekly logs; daily/weekly reports, etc.	CCP 337.15	Project completion + 10 years
Engineering Drawings, Traffic Control Plan	Signs, signing and striping, road construction	GC 34090	Permanent

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Engineering Flood Control	Storm Drains	GC 34090	Permanent
Engineering Special Districts	Supporting documents regarding improvement districts, lighting districts, underground utility districts, etc.	GC 34090	Permanent
Engineering Street/Alley (Abandonment/ Vacation)	Relinquishment of rights and fee title	GC 34090	Permanent
Engineering Traffic Signals	Counts, collisions, accidents	GC 34090	Completion + 2 years
Enterprise Systems Catalog	Catalog of software applications, computer systems used by the City. Due 7/1/2016, per Senate Bill 272 (2015 Statutes).	GC 6270.5 (Eff. 7/1/2016)	Must be completed by 7/1/2016, posted on City website and updated annually
Environmental Quality Air Quality (AQMD)	Participants/voucher logs, Total Daily Mileage Survey (TDM); various local authorities; Commute Alternative	CCP 338(k); GC 34090	3 years
Environmental Quality Asbestos	Documents, abatement projects, public buildings	GC 34090	Permanent
Environmental Quality California Environmental Quality Act (CEQA)	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations	GC 34090 CEQA Guidelines	Permanent

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Environmental Quality Congestion Management	Ride sharing, trip management	GC 34090	Completion + 2 years
Environmental Quality Environmental Review	Correspondence, consultants, issues, conservation	GC 34090	Completion + 2 years
Environmental Quality Pest Control	Pesticide applications, inspections and sampling, documents	GC 34090	Completion + 2 years
Environmental Quality Soil	Analysis, construction recommendations	GC 34090	Completion + 2 years
Environmental Quality Soil Reports	Final Reports	GC 34090	Permanent
ERISA Records (Employee Retirement Security Act)	Employee Retirement Income Security Act of 1974 - Plan reports, certified information filed; records of benefits due	29 USC 1027 29 USC 1059	6 years
Ethics Training Records (AB 1234; effective 1/1/06)	Records required to be kept under Gov. Code section 53235.2. Records must show dates that local officials satisfied the training requirements and the entity that provided the training	GC 53235.2	5 years after receipt of training
Events Planning, Community	Review for historic significance	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Family and Medical Leave Act (federal)	Records of leave taken, City policies relating to leave, notices, communications relating to taking leave	29 CFR 825.500 GC 12946	3 years (federal) 2 years (State)
Federal Tax Records	May include Forms 1095-C, 1096, 1099, W-4 and W-2	26 CFR 31.6001-1(e) 29 CFR 516.5-516.6	Current + 4 years
Fee Schedules/Studies	Considered by the City Council	GC 34090	2 years
Fire Protection District Administration	Administrative documents.	GC 34090	2 years
Fire Safety Administration	General orders, policies & procedures	GC 34090	Until superseded + 2 years
Fixed Assets Inventory	Reflects purchase date, cost, account number	GC 34090	Until audited + 2 years
Fixed Assets Surplus Property	Auction; disposal – Listing of property; sealed bid sales of equipment	GC 34090 CCP 337	Until audited + 4 years
Fixed Assets Vehicle Ownership & Title	Title transfers when vehicle is sold.	VC 9900 et. seq.	Until sold
Flood Plain Maps	FEMA - not a City record, for information only.		Until Superseded

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Forms	Administrative - blank		Until Superseded
Fund Transfers	Internal; bank transfers & wires	GC 34090	Until audited + 2 years Until audited + 4 years
General Ledgers	All annual financial summaries--all agencies	GC 34090 CCP 337	Published articles show 4 – 7 years retention as typical Sec. of State Guidelines recommends permanent retention
General Plan	.	GC 34090	Permanent
General Plan Amendments		GC 34090	Permanent
Gift to Agency Report (FPPC Form 801)	FPPC form showing payment or donation made to the City or to a City official and which can be accepted as being made to the City	2 CCR 18944(c)(3)(F), (G); FPPC Fact Sheet : "Gifts to an Agency – Part 2"	Must be posted on City website for 4 years (per FPPC Fact Sheet)
Gifts/Bequests	Finance - to the City (kept with cash receipts)	GC 34090	2 years
Grading Permits		GC 34090	Until completed + 2 years
Grading Variances		GC 34090	Until completed + 2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Grants Community Development Block Grant (CDBG); Urban Development; other Federal and State grants	Grant documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, inventory, consolidated plan, etc.	GC 34090 24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
Grants - Unsuccessful	Applications not entitled	GC 34090	2 years
Hazardous Materials & Hazardous Waste Disposal Records	Examples of hazardous materials/hazardous waste: medical waste; used oil; pesticides	H&S 117945 H&S 118165 22 CCR 66279.91 3 CCR 6624(g)	3 years
Hazardous Materials - Permits, Hazardous Materials Storage		GC 34090	While current + 2 years [Permanent retention of documents regarding environmentally sensitive materials is recommended]
Hazardous Materials - Programs, Household Hazardous Waste	Documents regarding federal, State or local programs on disposal of household hazardous waste	GC 34090	Until superseded + 2 years
Hazardous Materials - Exposure Records, etc.	Employee exposure records; name/identity of chemical substance used; when & where chemical substance was used	8 CCR 3204(d) et. seq.	Length of employment + 30 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Hazardous Materials - Underground Storage Tank Compliance	Documents regarding: storage, location, installation, removal, remediation	GC 34090	Permanent
Hazardous Materials - Underground Storage Tank Maintenance and Repair	Documents regarding: repairs, lining and upgrades	23 CCR 2660(j), 2712	For the life of the tank
Historic Preservation Inventory	Records of historic landmarks, including historic register	GC 34090	Current + 2 years
Home Occupation Permits	Business license related	GC 34090	Current + 2 years
Housing Programs	Planning/ Successor Agency files.	GC 34090	Current + 2 years
Housing Programs	Examples: First-Time Home Buyer Program, Mobile Home Rehabilitation and Replacement Program, CDBG Housing Program, CalHome Program, Low/Moderate Housing programs, Rental Housing Assistance, etc.	24 CFR 570.502 24 CFR 85.42	4 years
Insurance	Personnel related	GC 34090	While current, + 2 years
Insurance, Joint Powers Agreement	Accreditation, MOU, agreements and agendas	GC 34090	Current + 2 years
Insurance Certificates, City	Liability, performance bonds, employee bonds, property; Insurance certificates filed separately from contracts, includes insurance filed by licensees.	GC 34090	While current + 2 years

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Insurance, Liability/Property	May include liability, property, Certificates of Participation, deferred, use of facilities	GC 34090	While current + 2 years
Insurance, Risk Management Reports	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies	29 CFR 1904.44 GC 34090	5 years (Federal) 2 years (State)
Investment Reports, Transactions	Summary of transactions, inventory and earnings report	GC 34090 CCP 337	Until audited + 4 years
Invoices	Invoices from vendors and back-up documents	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't Records Mgmt. Guidelines recommendation	Until audited + 4 years
Job Descriptions	Descriptions of duties, qualifications, responsibilities for each position/classification/job title	29 CFR 1627.3	While current + 3 years
Labor Organizations	Records of payments, loans, promises or agreements by City to any labor organization or representative of same	29 USC 436	5 years
Land Use and Development Code		GC 34090	Until superseded

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Lease Agreement	Property or equipment	CCP 337 CCP 337.2 CCP 343	Until terminated + 4 years
Legal Notices / Affidavits of Publication or Posting	Examples: Notices of public hearings, notices of liens, etc. Also proof of publication of notice, or proof of posting of notice	GC 34090	Current + 2 years, unless part of a project or matter that requires longer retention (i.e., CEQA documents)
Legal Opinions	Confidential – not for public disclosure (attorney-client privilege)	GC 34090	Until superseded + 2 years
Licenses/Permits – Special (Events; Solicitation)	This category DOES NOT include business licenses/permits	GC 34090	Current + 2 years
Litigation	Case files	GC 34090	Until settled + 2 years
Lobbying or Lobbyist Forms (FPPC forms)	FPPC Form 602 – Lobbying Firm Activity Authorization; FPPC Form 635 – Report of Lobbyist Employer & Report of Lobbying Coalition – forms used when employing or contracting with a lobbying firm	FPPC Reg. 18615(d)	5 years
Local Appointments List (“Maddy List”)	List of all regular and ongoing boards, commissions, and committees appointed by the City Council – pursuant to the Maddy Local Appointive List Act	GC 54970 GC 34090	Until superseded (new list prepared each Dec. 31 st)
Lot Line Adjustments	Land use - case files.	GC 34090	Permanent
Maintenance Manuals	Equipment service/maintenance	GC 34090	Until superseded

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Maintenance/Repair Records	Equipment	GC 34090	2 years
Maps & Plats	Engineering & field notes and profiles; cross section of roads, streets, right-of-way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, landfill, fire hydrants, base maps, etc.	GC 34090	Permanent
Marketing, Promotional	Brochures, announcements, etc.	GC 34090	2 years
Master Plans, Annual	Special or long range program plan for municipalities – coordination of services; strategic planning	GC 34090	2 years
Materials Board, Renderings Boards & Photographs	Planning/Engineering	GC 34090	2 years
Memoranda of Understanding (MOU)	Personnel related; agreements with employee bargaining units resulting from negotiations	GC 34090; 29 USC 211(c) 29 CFR 516.5 Sec. of State Local Gov't. Records Mgmt. Guidelines	Current + 3 years Sec. of State recommends permanent retention
Minutes	Council/Successor Agency/Commissions.	GC 34090(e)	Permanent
Municipal Code		GC 34090	Permanent

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Municipal Facilities Construction	Contains records of plans, design, construction, conversion or modification of local government-owned facilities, structures and systems	GC 34090 H&S 19850	For the life of the building
Municipal Facilities Facility Rentals; Use	Permits, contracts, diagrams, schedules, insurance binders	GC 34090	Current + 2 years
Municipal Facilities Maintenance and Operations	Service requests, invoices supporting documentation, buildings, equipment, field engineering, public facilities including work orders and graffiti removal	GC 34090	2 years
Neighborhood Planning	Area and neighborhood Planning case records.	GC 34090	Until Completed
Newsletter, City	May wish to retain permanently for historic reference.	GC 34090	2 years
Notices – Public Meetings	Special Meetings	GC 34090	2 years
NPDES Permits – sewage/sludge	National Pollutant Discharge Elimination System (NPDES) – permit – sewage sludge use and disposal – monitoring records	40 CFR 503.17	5 years
NPDES Permits -	NPDES permit - monitoring information, including calibration and maintenance records, original strip chart recordings, required reports and all data used to complete the permit application	40 CFR 122.41	3 years

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Nuisance Abatement	Includes citations (not police), nuisance abatement, and liens resulting from nuisance abatement.	GC 34090	Until settled + two years
Oaths of Office	Elected and public officials (i.e., Council members; commissioners; etc.)	GC 34090 29 USC 1113 Sec. of State Guidelines	Current plus 6 years
Offers of Dedication		GC 34090	Until Completed
Ordinances	Ordinances adopted by City Council	GC 34090(e)	Permanent
OSHA	OSHA 300 Log, privacy case list, OSHA 300A annual summary, OSHA 301 incident report forms	LC 6410; 8 CCR 14300.33 29 CFR 1904.33	5 years
OSHA (Accident/Illness Reports)	Personnel - Employee Exposure Records & Employee Medical Records regarding exposure to toxic substances; Exempt from public disclosure	LC 6410; 8 CCR 14300.33; 8 CCR 3204(d)(1)(A); GC 6254(c)	Duration of employment plus 30 years
Paramedic Services	Documents other than original contracts.	GC 34090	2 years
Parcel Map Waivers	Land use - planning case files	GC 34090	Permanent
Parcel Maps	Land use - planning/engineering case files	GC 34090	Permanent
Parking Citations	Includes administrative parking citations and appeals	GC 34090	Until settled/adjudicated + 2 years
Parking Studies	Engineering	GC 34090	2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Payroll - Federal/State Reports	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	29 USC 436 26 CFR 31.6001-4 R&TC 19530 R&TC 19704 26 USC 6001 26 CFR 301.6501(a)-1 26 CFR 31.6001-1(e) 29 CFR 516.5 - 516.6	6 years
Payroll Deduction/Authorizations	Finance	29 CFR 516.6(c)	While Current + 2 years
Payroll records (employee information)	Records showing employee information/data – names, addresses, etc.; hours worked; regular and overtime wages, etc.	29 CFR 516.5 LC 1174(d), 1197.5	Length of employment + 3 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Payroll, registers	Finance Labor costs by employee & program	29 CFR 516.5(a) LC 1174(d)	3 years (Sec. of State Guidelines – recommended permanent retention)
Payroll, time cards/sheets	Employee	29 CFR 516.6(a)(1) LC 1174(d)	2 years (Sec. of State guidelines – recommends retention: until audited + 6 years)
Payroll - Wage Rates / Job Classifications	Employee records	LC 1197.5(d) LC 1174(d) GC 34090 GC 12946 29 CFR 516.6 29 CFR 1602.4 29 CFR 1627.3	While current + 3 years
Permits, Construction	Other than building permits - For signs, grading, encroachment, including copies of blueprints and specifications	GC 34090	Until completed + 2 years

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Permits, Other	Alterations, encroachment, excavations, road, street sidewalks & curb alterations, transportation, swimming pool drainage, temporary uses, etc.	GC 34090	Until completed + 2 years
PERS - Employee Benefits	Retirement Plan – annual reports required to be filed under ERISA	29 USC 1027	6 years
	PERS Employee Benefit Plan – original document, or copies	29 CFR 1627.3(b)(2) GC 34090	Current + 2 years
Personnel Policies -- Rules and Regulations	Including employee handbooks, employee manuals, and other policies/procedures	29 CFR 516.6 29 CFR 1627.3(a)	Current + 3 years
Personnel Records	Payroll or other records containing name, address, date of birth, occupation, rate of pay, etc., including records relating to promotion, demotion, transfer, lay-off, termination	29 CFR 1627.3	3 years
Petitions	Submitted to legislative bodies	GC 34090	Current + 2 years
Planning Commissioners	Applications and other documents relating to commissioners.	GC 34090 Sec. of State Guidelines	Term of office + 5 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	PC	Penal Code (California)
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CFR	Code of Federal Regulations	USC	United States Code		
EC	Elections Code (California)	LC	Labor Code (California)		

RECORDS RETENTION SCHEDULE FOR CITIES

Destruction of any City record must have City Council approval and written consent from the City Attorney, unless otherwise provided by law. (Gov. Code § 34090.)

Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Police - Administrations Investigations Administrative/Internal Administrative reviews	Initiated by citizen complaints or internally initiated; includes complaints, reports, findings, administrative reviews regarding use of force, etc. [Detailed listings of retention periods for police and other public safety records should be governed by a separate records retention schedule.]	PC 832.5 EVC 1045 PC 801.5	Until closed + 5 years
Policies, Administrative	All policies and procedures, directives rendered by Council not assigned a resolution or ordinance number	GC 34090	Until Superseded + 2 years
Policies, Council/ Successor Agency/Commissions	Original policies adopted by the City Council/Successor Agency/ Commissions.	GC 34090	Until Superseded
Political Support/Opposition, Requests & Responses	Related to legislation.	GC 34090	2 years
Press Releases	City related.	GC 34090	2 years
Procedure Manuals	Administrative.	GC 34090	Until superseded + 2 years
Proclamations	City issued proclamations	GC 34090	2 years; if done by City Council Resolution, then permanent retention
Property, Abandonment	Buildings, condemnation, demolition	GC 34090	Permanent

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Property Acquisition/Disposition	City owned. Supporting documents regarding sale, purchase, exchange, lease or rental of property by City	CCP 337.15	10 years
Public Records Act Request	Requests from the public to inspect or copy public documents	GC 34090	2 years
Purchasing RFQ's, RFP's	Requests for Qualifications; Requests for Proposals regarding goods and services	GC 34090	Current + 2 years
Purchasing, Requisitions, Purchase Orders	Original Documents	GC 34090 CCP 337	Until audited + 4 years
Recordings - audio (e.g., for preparation of meeting minutes)	Council/Commission/ Successor Agency meetings -- audio recording "made for whatever purpose by or at the direction of the local agency"	GC 34090; 54953.5(b)	Minimum 30 days
Recordings - routine video monitoring, telephone, and radio communications	Routine daily recording of telephone & radio communications; routine video monitoring including in-car video systems, jail observation/monitoring systems, building security systems. [Includes automated license plate reader (ALPR) video recordings/data]	GC 34090, 34090.6	Videos - 1 year; Phone & Radio communications - 100 days (destruction must be approved by City Council & City Attorney)

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

Destruction of any City record must have City Council approval and written consent from the City Attorney, unless otherwise provided by law. (Gov. Code § 34090.)

Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Recordings, video or digitally recorded – meetings of legislative bodies	Videos or digital recordings of public meetings made by or at the direction of the city (e.g., Council/Commission/Successor Agency meetings)	GC 54953.5	Minimum 30 days
Recordings, video or digitally recorded (Duplicate – see Description or Example of Record)	Other than videos or digital recordings of public meetings; Considered duplicate records if another record of the same event is kept (i.e., written minutes)	GC 34090, 34090.7 85 Ops. Cal. Atty. Gen. 256 (2002)	Minimum 90 days after event is recorded
Records Management Disposition Certification	Documentation of final disposition of records	GC 34090	Permanent
Records Retention Schedules		GC 34090	Current + 2 years
Recruitments and Selection	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years
Refuse Collection	General administrative records	GC 34090	2 years
Registration Forms	Human Services Recreation Programs	GC 34090	2 years
Release Forms/Waivers	Human Services Recreation Programs	GC 34090	2 years
Resolutions	Resolutions adopted by the City Council and City Commissions	GC 34090(e)	Permanent
Returned Checks	Finance-NSF (not City checks)	GC 34090	2 years after audit

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

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Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Salary/Compensation Studies, Surveys	Studies or surveys of other agencies regarding wages, salaries and other compensation or benefits	GC 34090	While current + 2 years
Sewer Construction/Improvement/Maintenance	Administrative records.	GC 34090	2 years
Speed Surveys	Engineering	GC 34090	Until superseded plus 2 years
State Controller	Annual reports.	GC 34090	2 years
Statements of Economic Interest - Form 700 (copies) (elected officials)	Copies of original statements of elected officials forwarded to Fair Political Practices Commission (FPPC)	GC 81009(f), (g)	4 years (can image after 2 years)
Statements of Economic Interest - Form 700 (originals) (non-elected)	Originals of statements of designated employees	GC 81009(e), (g)	7 years (can image after 2 years)
Stop Payments	Finance - bank statements	GC 34090	2 years
Storm Drain Construction/Improvement/Maintenance	Administrative records.	GC 34090	2 years
Street Construction/Improvements	Administrative records	GC 34090	2 years
Street Vacations	Offers to dedicate; drainage; access rights, etc.	GC 34090	Permanent
Studies, Various City		GC 34090	While current + 2 years

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

Destruction of any City record must have City Council approval and written consent from the City Attorney, unless otherwise provided by law. (Gov. Code § 34090.)

Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Taxes, Special	Special tax levied by a local agency on a per parcel basis	CCP 338(m)	Until audited + 3 years
Unemployment Insurance Records	Records relating to unemployment insurance – claims, payments, correspondence, etc.	26 USC 3301-3311; Calif. Unemployment Insurance Code; CCP 343	While current + 4 years
Utility Services - Applications	Applications for utility connections, disconnects, registers, service	GC 34090; Sec. of State Guidelines recommendation	Current + 2 years
Utility Services - Billing Records	Customer name, service address, meter reading, usage, payments, applications/cancellations	GC 34090; Sec. of State Guidelines recommendation	Until audited + 2 years
Utility Services - Journals, Utility Billing	Billing including monthly activity	GC 34090; Sec. of State Guidelines recommendation	Current + 2 years
Utility Services - Connection Records	Maps, water line connections	GC 34090; Sec. of State Guidelines recommendation	Permanent

Legal Authority Abbreviations

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RECORDS RETENTION SCHEDULE FOR CITIES

Destruction of any City record must have City Council approval and written consent from the City Attorney, unless otherwise provided by law. (Gov. Code § 34090.)

Category of Record	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Utility Services - Meter Reading; Reports		GC 34090; Sec. of State Guidelines recommendation	Current + 2 years
Utility Services - Utility Rebates, Reports		GC 34090	Current + 2 years
Vouchers - Payments	Account postings with supporting documents	GC 34090 CCP 337	Until audited + 4 years
Wage Garnishment	Wage or salary garnishment	CCP 337	Active until garnishment is satisfied; then retain until audited + 4 years
Warrant Register/Check Register	Record of checks issued; approved by legislative body (copy is normally retained as part of agenda packet information)	GC 34090	Until audited + 2 years
Waste Management	Solid Waste – Administrative documents	GC 34090	2 years
Workers Compensation Files	Work-injury claims (including denied claims); claim files, reports, etc.	8 CCR 10102 8 CCR 15400.2	Until settled + 5 years

Legal Authority Abbreviations

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City of Isleton

City Council
Staff Report

DATE: March 8, 2022

ITEM#: 7.D

CATEGORY: New Business

RESOLUTION 08-22 OF THE CITY COUNCIL OF CITY OF ISLETON, SACRAMENTO COUNTY APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM; ADOPTION

SUMMARY

The "Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail projects. The State Department of Parks and Recreation has been delegated responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program.

DISCUSSION

California Consulting LLC, the City's contracted grant management company, will be submitting the Recreational Trails Program grant application for the City of Isleton for the south side of 6th Street Biking and Walking Trail.

The public uses 6th Street for recreational activities such as biking and walking. The City would like to make it safer for the public by installing a .54 mile long trail along the south side of 6th Street that will begin at Jackson Blvd. Extension to H Street. The project will consist of: Installation of decomposed granite for trail, concrete curb, ADA ramps, storm water grates and basins, water fountains, benches, bike racks, fitness stations, native shrubs and plants and educational kiosks (history of Isleton and information on wildlife and native plants for school activities).

Community input is one of the requirements for the application. The City will be scheduling public meetings and a surveys.

FISCAL IMPACT

The estimated cost is \$219,000. The RTP Match amount is based on the cost of the total RTP Project. The maximum amount of RTP funds allowed for each Project is 88%. The Applicant is responsible for providing a Match amount that is a minimum of 12%. The City's match can be met with its road and transportation allocations.

California Consulting Fee will be estimated \$7,500.00

RECOMMENDATION

Staff recommends City Council approve Resolution #08-22 for submission of grant application.

ATTACHMENTS

1. Resolution 08-22 of the City Council of City of Isleton, Sacramento County Approving the Application for Grant Funds from the Recreational Trails Program
2. 6th Street Biking and Walking Schematic
3. 6th Street estimated cost

Submitted by: Yvonne Zepeda, Deputy City Clerk

Reviewed by: Charles Bergson, City Manager



CITY OF ISLETON

RESOLUTION NO. 08-22

RESOLUTION OF THE CITY COUNCIL OF CITY OF ISLETON, SACRAMENTO COUNTY APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM

WHEREAS, the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” provides funds to the State of California for Grants to federal, state, local and non-profit organizations to acquire, develop and/or maintain motorized and non-motorized trail Projects; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing Project Application under the program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of Application(s) before submission of said Application(s) to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the Project(s);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Isleton hereby:

1. Approves the filing of an Application for the Recreational Trails Program; and
2. Certifies that the Project is consistent with the Applicant’s general plan or the equivalent planning document; and
3. Certifies that said Applicant has or will have available prior to commencement of any work on the Project(s) included in this Application, sufficient funds to operate and maintain the Project(s); and
4. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
5. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents, including, but not limited to Applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the Project.
6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Approved and Adopted the 8th day of March 2022.

I, the undersigned, hereby certify that the foregoing Resolution Number was duly adopted by the City Council of the City of Isleton following a roll call vote: _____.

AYES:

NOES:

RECUSAL:

ABSENT:

ABSTAIN:

MAYOR, Eric Pene
City of Isleton

(SEAL)

ATTEST: _____
DEPUTY CITY CLERK, Yvonne Zepeda
City of Isleton

City of Isleton

Special City Council Staff Report

DATE: March 8, 2022

ITEM#: 7.E

CATEGORY: New Business

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON AUTHORIZING THE CITY MANAGER AND CITY ACCOUNTANT TO DEPOSIT AND WITHDRAW MONEY IN THE LOCAL AGENCY INVESTMENT FUND (LAIF) IN THE STATE TREASURY

SUBJECT

City Council Resolution No. 06-22, dated 8th, March, 2022, authorized the City Manager and City Accountant, in Office at that time to invest Agency funds in State Local Agency Investment Fund (LAIF).

SUMMARY

The State Local Agency Investment Fund (LAIF), a voluntary program created by statute, began in 1977 as an investment alternative for California's local governments and special districts and it continues today under Treasurer Administration. This program offers local agencies the opportunity to participate in a major portfolio, which invests hundreds of millions of dollars, using the investment expertise of the State Treasurer's Office professional investment staff at no additional cost to the taxpayer.

The LAIF is part of the Pooled Money Investment Account (PMIA). The PMIA began in 1955 and oversight is provided by the Pooled Money Investment Board (PMIB) and an in-house Investment Committee. The PMIB members are the State Treasurer, Director of Finance, and State Controller.

The City Council of the City of Isleton that the deposit and withdrawal of the City of Isleton monies in LAIF in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard, is hereby reauthorized.

That Resolution No. 06-22 is hereby rescinded and the following City of Isleton officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

1. City Manager
2. City Accountant

The City Clerk is being removed because this office is vacant and it is not expected to be filled in the future.

FISCAL IMPACT

There is no fiscal impact with this adoption.

RECOMMENDATION

Resolution of the City Council of the City of Isleton Authorizing the City Manager and City Accountant to deposit and withdrawal money in the Local Agency Investment Fund (LAIF) in the State Treasury.

ATTACHMENTS

- Resolution No. 06-22

Reviewed by: Charles Bergson, City Manager _____

Submitted and prepared by: Yvonne Zepeda, City Clerk _____

RESOLUTION NO. 06-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ISLETON
AUTHORIZING THE CITY MANAGER AND CITY ACCOUNTANT TO DEPOSIT
AND WITHDRAW MONEY IN THE LOCAL AGENCY INVESTMENT FUND (LAIF)
IN THE STATE TREASURY**

WHEREAS, pursuant to Government Code Section 16429.1, a Local Agency Investment Fund in the State Treasury exists for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, Council Resolution No. 06-22, dated 8th, March, 2022, authorized the City Manager and City Accountant in Office at that time to invest Agency funds in LAIF; and

WHEREAS, the City Council does hereby find that the deposit and withdrawal of money in LAIF in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein continues to be in the best interests of the City of Isleton.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Isleton that the deposit and withdrawal of the City of Isleton monies in LAIF in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard, is hereby reauthorized.

BE IT FURTHER RESOLVED that Resolution No. 06-22 is hereby rescinded and the following City of Isleton officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

City Manager

City Accountant

ADOPTED by the City Council of the City of Isleton at a regular meeting of the Council held on the 8th day of March, 2022, by the following vote:

AYES: Councilmember's

NOES:

ABSTAIN:

ABSENT:

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

MAYOR, Eric Pene



**California State Treasurer's Office
Local Agency Investment Fund (LAIF)**

Authorization for Transfer of Funds

Effective Date
1/25/2022

Agency Name
City of Isleton

LAIF Account #
98 34 396

Agency's LAIF Resolution # _____ or Resolution Date _____

ONLY the following individuals whose names appear in the table below are hereby authorized to order the deposit or withdrawal of funds in LAIF. **This authorization REPLACES AND SUPERSEDES all prior authorizations on file with LAIF for the transfer of funds.**

Name	Title
Charles Bergson, P.E.	Isleton City Manager
Nancy Clymer	Accountant, City of Isleton

Two authorized signatures required. Each of the undersigned certifies that he/she is authorized to execute this form under the agency's resolution, and that the information contained herein is true and correct.

Signature
Eric Pene

Print Name
Mayor, City of Isleton

Title
916-777-7770

Telephone

Signature
Pamela Bulahan

Print Name
Vice Mayor, City of Isleton

Title
916-777-7770

Telephone

Please provide email address to receive LAIF notifications.

Name	Email
Charles Bergson, P.E.	cbergson@cityofisleton.com
Nancy Clymer	accounting@cityofisleton.com

Please email a scanned copy for review to laif@treasurer.ca.gov.
After approval is received, mail the original form to: State Treasurer's Office
Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001

