

Article 2: Administrative Code

Division 26: Procedures Governing the Management of City Records

*(“Procedures Governing the Management of City Records”
added 6-18-1982 by O-15761 N.S.)*

§22.2601 General Purpose

This Division establishes a *Records Management Policy* that complies with local, state, and federal laws and regulations relating to the retention and disposition of public records, and which shall also be subject to the City Clerk’s Administrative Guidelines Section 6: Records Disposition.

*(“Purpose and Intent” added 6-14-1982 by O-15761 N.S.)
(Retitled to “General Purpose” and amended 11-27-2012 by O-20221 N.S.; effective 12-27-2012.)
(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)
(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)*

§22.2602 Definitions

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

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

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

Department means every City department or program that creates a *record*, including the City Council District offices.

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

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

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record means a *record* worthy of continued preservation because of its administrative, legal, operational, fiscal, or historical content.

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

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

Nonrecord means recorded information of any kind and in any form which is not required to be retained in the ordinary course of City business or is a temporary aid and does not appear in the *Master Records Schedule*. *Nonrecords* include the following:

- (a) Brochures, catalogs, pamphlets, and other documents usually received by mail that have no substantive value to the City.
- (b) Electronic mail, instant messages, and voicemail that are not created for the purpose of preserving documentary or informational content for future use by the City, are not final approval of a City action or project, or do not memorialize a change of a City project or program.
- (c) Information received by the City from electronic mailing lists, services, third parties, and new groups.
- (d) Notes, worksheets, and rough drafts used as temporary aids by City staff for their convenience and not retained in the ordinary course of business.
- (e) Materials and publications, such as copies of books or periodicals, that are acquired and maintained solely for general reference purposes rather than to support a specific City operation.
- (f) *Duplicates*.

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

Records Management Policy means the structure, standards, and system to maintain and *dispose of records*.

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

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

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

(“Policy” added 6–14–1982 by O–15761 N.S.)

(Renumbered from former Section 22.2604, and amended 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2602 repealed.)

(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

§22.2603 City Clerk’s Responsibilities

The City Clerk’s responsibilities include:

- (a) development and update of the *Records Management Policy*;
- (b) development and circulation of policies and procedures pertinent to the *Records Management Policy*;
- (c) training for *records* coordinators;
- (d) maintenance and oversight of the *Master Records Schedule*;
- (e) operating the City Clerk’s records center; and
- (f) operating the *City Clerk Archives* for access, determining which *records* to include in the *City Clerk Archives*, and preserving the City of San Diego’s *historical records*.

(“Authority” added 6–14–1982 by O–15761 N.S.)

(“City Clerk’s Responsibilities” added 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2603 repealed.)

(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

§22.2604 Department Directors' Responsibilities

Department directors' responsibilities include:

- (a) appointing a *records* coordinator for their *department*;
- (b) ensuring the *department* meets its legal responsibilities under the *Records Management Policy* by establishing a program which includes *department* processes for systematic control of *records* from their creation, maintenance, and use to *disposition*;
- (c) ensuring that their *department* fully complies with legal and statutory requirements in applicable Council Policies, the *Master Records Schedule*, the Administrative Regulations, and the City Clerk's Administrative Guidelines; and
- (d) archiving *historical records* with the *City Clerk Archives* and preserving *vital records*.

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

(“*Department Director’s Responsibilities*” added 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2604, renumbered to Section 22.2602)

(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

(Retitled from “*Department Director’s Responsibilities*” to “*Department Directors’ Responsibilities*” and amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

§22.2605 Master Records Schedule

- (a) The City Council is required to approve the *Master Records Schedule* and any amendments to the *Master Records Schedule* that add *record series* or change retention periods.
- (b) The City Clerk may amend the *Master Records Schedule*, without the approval of City Council required by section 22.2605(a), when state or federal law or regulations require longer *retention periods*.
- (c) A *department* director may authorize destruction of any *record* under the *department* director’s charge in accordance with the *retention periods* set forth in the *Master Records Schedule*.

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

(Amended 11-27-2012 by O-20221 N.S.; effective 12-27-2012.)

(Retitled from “*Records Disposition Schedule*” to “*Master Records Schedule*” and amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

§22.2606 Retention of Records

- (a) The following *records* shall be permanently retained:
 - (1) *records* required to be permanently retained under local, state, or federal law or regulation;
 - (2) the minutes, ordinances, or resolutions of the City Council or of a City board or commission; and
 - (3) *records* required to be permanently retained under the *Master Records Schedule*.
- (b) *Records* for which a *retention period* is defined by local, state, or federal law or regulation shall be retained for that authority's stated *retention period* or expiration of the *retention period* in the *Master Records Schedule*, whichever is longer.
- (c) All *records* shall be retained for the *retention period* in the *Master Records Schedule* or until the termination of a *legal hold*, whichever is longer.
- (d) The City shall follow state law regarding best practices for storing and maintaining *records* in electronic media with output in a human readable fashion. Section 22.2606(d) shall be interpreted in a manner consistent with California Government Code section 12168.7, as may be amended, and title 2, sections 22620.1 through 22620.8 of the California Code of Regulations, as may be amended. These provisions of state law are incorporated by reference as if fully set forth herein.
- (e) The City Clerk shall maintain the *records* of the City with a permanent *retention period* at the City Clerk's records center in a permanent form, including paper or microfilm. The City Clerk may maintain *records* with less than permanent retention period at the City Clerk's records center.

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

("Retention of Records" added 11-27-2012 by O-20221 N.S.; effective 12-27-2012.

Former Section 22.2606 repealed.)

(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

(Amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

§22.2607 Disposition of Records

- (a) A *record* shall be inventoried, *appraised*, and identified in the *Master Records Schedule* before a *department* director may determine whether to retain the *record*.
- (b) *Department* directors shall transfer *records* with a permanent *retention period* to the City Clerk's records center at the conclusion of their operational use in accordance with the *Master Records Schedule*.
- (c) *Department* directors shall not retain *records* beyond the retention period unless a *legal hold* exists, if otherwise required by law, or if the *records* have been transferred to the City Clerk's Archives as *historical records*.
- (d) *Department* directors shall destroy *records* at the end of a *retention period* as described in the *Master Records Schedule*.

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

(“*Non-Retention of Records*” added 11-27-2012 by O-20221 N.S.; effective 12-27-2012. Former Section 22.2607 repealed.)

(Amended 7-20-2018 by O-20960 N.S.; effective 8-19-2018.)

(Retitled from “*Non-Retention of Records*” to “*Disposition of Records*” and amended 4-29-2024 by O-21795 N.S.; effective 5-29-2024.)

§22.2608 Copies of Records

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

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

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