



# NEWPORT BEACH

## City Council Staff Report

July 23, 2024  
Agenda Item No. 5

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Leilani I. Brown, City Clerk - 949-644-3005,  
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**TITLE:** Resolution No. 2024-49: Approving Amendments to the Records Retention Schedule

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### **ABSTRACT:**

The City of Newport Beach continues to improve its records management program, including updating the Records Retention Schedule (RRS) to incorporate new laws and business practices. At its April 11, 2023 meeting, the City Council approved Resolution No. 2023-17, amending sections of the RRS, authorizing destruction of certain City records, and indicating that major or substantive revisions to the RRS are required to be considered by the City Council for review and approval. Based on the most recent periodic review, attached to this staff report is a list of proposed amendments for City Council review and approval.

### **RECOMMENDATIONS:**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Adopt Resolution No. 2024-49, *A Resolution of the City Council of the City of Newport Beach, California, Amending Certain Sections of the Records Retention Schedule and Authorizing Destruction of Certain Records Accordingly.*

### **DISCUSSION:**

In August 2003, the City adopted an RRS which provided records descriptions and applied retention periods to City records. Since then, the City Council has approved revisions to the RRS in 2006, 2016, 2018, 2019, 2021 and 2023. The purpose of the revisions is to keep the RRS as up-to-date as possible and assist staff in properly creating, maintaining and destroying City records. The City's retention consultant, Diane Gladwell of Gladwell Governmental Services, Inc. (Gladwell), who specializes in local government records, periodically reviews the City's RRS and provides recommended updates based on new laws and business practices.

On an as-needed basis, the City Clerk's Office meets with records staff from each department to review their specific records. This collaboration, along with changing records management laws and practices, has generated the need to reevaluate the RRS for additional changes. The changes include, but are not limited to, consolidating retention codes, creating new codes to remain compliant with legal requirements, and removing unnecessary or outdated language.

The City Clerk's Office, City Attorney's Office, and Diane Gladwell have reviewed staff's requested revisions to the RRS and, based on best practices, all agree that the recommended changes are acceptable.

**FISCAL IMPACT:**

There is no fiscal impact related to this item.

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENT:**

Attachment A – Resolution No. 2024-49