



City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, July 2, 2019, 6:00 p.m.

Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Pledge of Allegiance:

Changes to the Agenda:

Presentation:

Public Comment:

(Note: In accordance with State Law, the general public may bring forward an item not scheduled on the agenda; however, the City Council may not take any action at this meeting. If appropriate, the item will be referred to staff or placed on a future agenda.)

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.

(GC 53232.3 (d)) (53232.3.(d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)

1. Consent Calendar:

(Note: The items listed on the Consent Calendar will be enacted in one motion unless removed from the Consent Calendar by Council, staff, or the public.)

A. Waive Full Text Reading of All Ordinances on the Agenda

Reference: Kristen Steinke, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this agenda; Ordinances shall be introduced and adopted by title only.

B. City of Lemon Grove Payment Demands

Reference: Molly Brennan, Finance Director

Recommendation: Ratify Demands

C. Approval of Meeting Minutes

Regular Meeting

May 30, 2019 Special Meeting – Goals and Priorities Workshop

June 4, 2019 Regular Meeting

June 18, 2019 Regular Meeting

Reference: Shelley Chapel, City Clerk

Recommendation: Approve Minutes

D. Records Management Program and Retention Schedule Update

Reference: Shelley Chapel, City Clerk

Recommendation: Approval and Adoption of a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving a Records Management Program, Records Retention Schedule Update and Rescinding Resolution No. 2015-3335."

E. Approve the Sale of Lease for Cellular Communications Facility at 2674 1/2 Massachusetts Avenue

Reference: Mike James, Assistant City Manager / Public Works Director

Recommendation: Approval of a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving the Sale of the Existing Lease for the Cellular Communications Facility Located At 2674 1/2 Massachusetts Avenue."

F. Rejection of Claim – Robert Brohead

Reference: Mike James, Assistant City Manager / Public Works Director

Recommendation: City Council rejects the Claim submitted by Robert Brohead.

G. Rejection of Claim – Marcos Martinez

Reference: Mike James, Assistant City Manager / Public Works Director

Recommendation: City Council rejects the Claim submitted by Marcos Martinez

H. Rejection of Claim – Ortiz Mendoza

Reference: Mike James, Assistant City Manager / Public Works Director

Recommendation: City Council rejects the Claim submitted by Ortiz Mendoza.

I. Designation of Applicants Agent Resolution for Non-State Agencies for CalOES

Reference: Steve Swaney, Fire Chief

Recommendation: Approval of a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving the Designation of an Authorized Agent for the Filing of an Application to the California Office of Emergency Services for the Purpose of Obtaining Federal Financial Assistance and/or State Financial Assistance for All Open and Future Disasters."

J. FY 2018-19 Street Rehabilitation Project

Reference: Mike James, Assistant City Manager / Public Works Director

Recommendation: Approval of a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Accepting the FY 2018-19 Street Rehabilitation Project (Contract No. 2019-08) as Complete."

Closed Session:

1. CONFERENCE WITH LABOR NEGOTIATORS (G.C. § 54957.7)

Employee Organization: Lemon Grove Firefighters Association, Local 2728 of the International Association of Firefighters

City Representatives: Lydia Romero, City Manager, Molly Brennan, Finance Manager, and Roberto Hidalgo, Human Resources Manager

2. LIABILITY CLAIM
Government Code Section 54956.95
Claimant: Angela Crutchfield
Agency Claimed Against: City of Lemon Grove
3. LIABILITY CLAIM
Government Code Section 54956.95
Claimant: Heirs of Trevon Harris, Tanya Harris and Tye Harris
Agency Claimed Against: City of Lemon Grove
4. PUBLIC EMPLOYEE EMPLOYMENT
Government Code Section 54957
Performance Evaluation: City Manager

Adjournment

In compliance with the Americans with Disabilities Act (ADA), the City of Lemon Grove will provide special accommodations for persons who require assistance to access, attend and/or participate in meetings of the City Council. If you require such assistance, please contact the City Clerk at (619) 825-3800 or email schapel@lemongrove.ca.gov. A full agenda packet is available for public review at City Hall.

AFFIDAVIT OF NOTIFICATION AND POSTING

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS
CITY OF LEMON GROVE)

I, Shelley Chapel, MMC, City Clerk of the City of Lemon Grove, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the City Council of the City of Lemon Grove, California, was delivered and/or notice by email not less than 72 hours before the hour of 5:30 p.m. on June 27, 2019, to the members of the governing agency, and caused the agenda to be posted on the City's website at www.lemongrove.ca.gov and at Lemon Grove City Hall, 3232 Main Street Lemon Grove, CA 91945.

/s/: Shelley Chapel

Shelley Chapel, MMC, City Clerk



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.A

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: **City Manager's Office**

Staff Contact: Kristen Steinke, City Attorney

Item Title: Waive the Full Text Reading of all Ordinances

Summary: Waive the full text reading of all ordinances included in this agenda. Ordinances shall be introduced and adopted by title only.

Environmental Review:

Not subject to review

Negative Declaration

Categorical Exemption, Section |

Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.B

Meeting Date: July 2, 2019
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Molly Brennan, Finance Manager
<mailto:MBrennan@lemongrove.ca.gov>

Item Title: **City of Lemon Grove Payment Demands**

Recommended Action: Ratify Demands.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: None.

Public Notification: None.

City of Lemon Grove Demands Summary

Approved as Submitted:

Molly Brennan, Finance Manager

For Council Meeting: 07/02/19

ACH/AP Checks 06/06/19-06/19/19

238,061.86

Payroll - 06/18/19

184,518.09

Total Demands

422,579.95

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Jun4 19	Employment Development Department	06/06/2019	State Taxes 6/4/19	7,728.60	7,728.60
ACH	May22-Jun4 19	Calpers Supplemental Income 457 Plan	06/06/2019	457 Plan 5/22/19-6/4/19	8,257.14	8,257.14
ACH	May19	Wells Fargo Bank	06/11/2019	Bank Service Charge - May'19	140.02	140.02
ACH	3568860625/0619 4154920380/0519	SDG&E	06/11/2019	Electric Usage St Light 4/30/19-5/31/19 Electric Usage St Light 4/30/19-5/31/19	1,251.97 1,830.02	3,081.99
ACH	May19	Home Depot Credit Services	06/11/2019	Home Depot Purchases - May'19	692.77	692.77
ACH	Jun4 19	US Treasury	06/11/2019	Federal Taxes 6/4/19	27,259.50	27,259.50
ACH	May19	Wells Fargo Bank	06/12/2019	Credit Card Transaction Fees- May'19	622.83	622.83
ACH	782524	Aflac	06/13/2019	AFLAC Insurance 6/5/19	812.82	812.82
ACH	Refill 6/13/19	Pitney Bowes Global Financial Services LLC	06/17/2019	Postage Usage 6/13/19	250.00	250.00
ACH	Apr19	San Diego County Sheriff's Department	06/19/2019	Law Enforcement Services - Apr'19	486,934.19	486,934.19
11456	**VOID**	Aguirre & Associates	06/12/2019	** VOID **	-	-
11457	5656730415	AutoZone, Inc.	06/12/2019	Transmission Fluid - LGPW# 01 Ford F350 Dump Truck	15.71	15.71
11458	17-938	Bartel Associates, LLC	06/12/2019	Prof Svcs: Nov '17/Actuarial Consult Svcs-CLG CalPERS Review	4,546.00	4,546.00
11459	4831548	Bearcom	06/12/2019	Portable Radios Monthly Contract 5/22/19-6/21/19	150.00	150.00
11460	946909-9 946998-9	BJ's Rentals	06/12/2019	Propane Steel Cleaning Tool/Stripper Tile Electric Hammer - LG Park Gazebo	16.22 174.18	190.40
11461	83221643	Boundtree Medical LLC	06/12/2019	Medical Supplies-Nitrile Gloves/Defib Pads/Respirators/Flex Wraps	2,636.89	2,636.89
11462	July 2019	California Dental Network Inc.	06/12/2019	California Dental Insurance -Jul19	353.30	353.30
11463	4029387711	Canon Solutions America, Inc.	06/12/2019	Canon Maintenance-Copier Usage 2/27/19-5/26/19	28.79	28.79
11464	FRS0000160 FRS0000160 FRS0000160 FRS0000162 FRS0000162	City of El Cajon	06/12/2019	Overtime Reimbursement - Groller 5/10/19 Overtime Reimbursement - Aliano 5/4/19 Overtime Reimbursement - Kelsen 5/14/19 Overtime Reimbursement - Kinoshita 5/23/19 Overtime Reimbursement - Stewart 5/29/19	1,227.23 1,328.28 1,197.49 1,139.67 1,197.49	6,090.16
11465	39147 39148	Colantuono, Highsmith & Whatley, PC	06/12/2019	Legal Svcs/Campaign Finance Enforcement - thru Apr'19 Legal Svcs/SDCOE Consortium - thru Apr'19	2,080.50 1.34	2,081.84
11466	May19	Colonial Life	06/12/2019	Colonial Optional Insurance -May19	446.80	446.80
11467	81966851	Corelogic Solutions, LLC.	06/12/2019	RealQuest Graphics Package - May'19	300.00	300.00
11468	19CTOFLGN11	County of San Diego- RCS	06/12/2019	800 MHZ Network - May '19	2,918.96	2,918.96
11469	6/1/2019 5/30/2019 5/30/2019	Cox Communications	06/12/2019	Phone/City Hall- 6/1/19-6/30/19 Internet/Community Ctr- 5/30/19-6/29/19 Peg Circuit Svc- 5/30/19-6/29/19	975.20 75.00 2,896.56	3,946.76
11470	06052019560	DAR Contractors	06/12/2019	Animal Disposal- May'19	162.00	162.00
11471	212694	Dell Awards	06/12/2019	Name Plate for City Council Mtgs- Alvey	11.85	11.85
11472	244857 245206	Evans Tire & Service Centers	06/12/2019	Tires/Rebuild Kits/Wheel Balance - LGPW# 16 '14 Ford Tires/Wheel Balance - LGPW# 20 '00 GMC	499.53 318.75	818.28
11473	INV1015486	George Hills Company	06/12/2019	Cost Recovery/GHC0024624	1,782.40	1,782.40
11474	73203	House of Automation	06/12/2019	Prev Maintenance - PW Yard Security Gate	125.00	125.00

11475	00006906 00062663	Hudson Safe-T- Lite Rentals	06/12/2019	2 5-Gallon Green Traffic Paint 2 5-Gallon Red Traffic Paint	184.03 214.34	398.37
11476	201904	Lemon Grove Car Wash, Inc.	06/12/2019	Car Wash - Fire - 3/25/19	17.99	17.99
11477	4653419 4657394	Mallory Safety and Supply, LLC	06/12/2019	Nitrile Gloves/Rainsuit/Drivers Gloves/Boots/Micromax Booties Nitrile Gloves/Rainsuit/Drivers Gloves/Boots/Hard Hat	244.23 400.67	644.90
11478	107331	Penske Ford	06/12/2019	LG Eng #31-'14 Ford Escape Service/Oil Change/Filter/Battery	247.20	247.20
11479	3103166017	Pitney Bowes Global Financial Services LLC	06/12/2019	Postage Meter Rental 3/30/19-6/29/19	180.75	180.75
11480	Jun2019	Preferred Benefit Insurance Administrators	06/12/2019	Dental Insurance- PPO -Jun'19	2,816.10	2,816.10
11481	2019-158	Quality Code Publishing LLC	06/12/2019	Supplement Service-LG Municipal Code & Internet Website Updating	758.75	758.75
11482	Reimb 5/23/19	Robinson, Makayla	06/12/2019	Livescan/Fingerprint Robinson 5/16/19	52.00	52.00
11483	3394-17 3394-17 3394-17	Select Electric Corp.	06/12/2019	Traffic Signal Dig Alert Markings - May'19 Traffic Signal Service Calls- May'19 Traffic Signal Maintenance- May'19	445.00 667.75 1,421.00	2,533.75
11484	8054551020	Staples Advantage	06/12/2019	Office Supplies - City Hall	231.87	231.87
11485	83533	Zumar Industries, Inc.	06/12/2019	Sign/Cost Recovery/Sheriff Reimb	109.60	109.60
11486	12071	AdminSure	06/19/2019	Workers' Compensation Claims Administration - Jul'19	440.42	440.42
11487	6453	Aguirre & Associates	06/19/2019	LGA Realignment Map Review - May'19	575.00	575.00
11488	FY2019	American Medical Response	06/19/2019	Emergency Medical Services - FY19	24,997.00	24,997.00
11489	PettyCash-6/18 PettyCash-6/18 PettyCash-6/18 PettyCash-6/18 PettyCash-6/18 PettyCash-6/18 PettyCash-6/18 PettyCash-6/18 PettyCash-6/18	Brenda Wardrip	06/19/2019	Petty Cash- Livescan- Cooperman 5/28/19 Petty Cash- Livescan- Perrin 5/30/19 Petty Cash- Parking- Passport Training/Romero Petty Cash- Livescan- Armstrong 5/31/19 Petty Cash- Livescan- Rangel 5/29/19 Petty Cash- Livescan- Morales 6/6/19 Petty Cash- Livescan- Lynch 5/30/19 Petty Cash- Livescan- Solis 5/22/19 Petty Cash- Livescan- Rafou 5/24/19	52.00 52.00 24.00 54.00 52.00 52.00 52.00 52.00 52.00	442.00
11490	6/18/19	California State Disbursement Unit	06/19/2019	Wage Withholding Pay Period Ending 6/18/19	161.53	161.53
11491	20190294	Canon Financial Services Inc.	06/19/2019	Canon Plotter 2 Yr Carepack Contract Charge 6/20/19-7/19/19	72.73	72.73
11492	Castenada	Castenada, Jessica	06/19/2019	Refund/Castenada, Jessica/Deposit - LBH- 5/25/19	400.00	400.00
11493	4023415675	Cintas Corporation #694	06/19/2019	Janitorial Supplies - 6/6/19	954.28	954.28
11494	HC00000324 HC00000324 HC00000324	City of El Cajon	06/19/2019	HCFA - FY18/19 Pass Thru Billing- Tri Tech HCFA - FY18/19 Pass Thru Billing- Omega/ARM Dashboard HCFA - FY18/19 Pass Thru Billing- Bearcom	2,113.68 1,016.48 792.45	3,922.61
11496	6/1/2019	Cox Communications	06/19/2019	Main Phone/Fire- 6/1/19-6/30/19	469.76	469.76
11497	5019 5020 5021 5022 5023	D- Max Engineering Inc.	06/19/2019	D-Max Stormwater Prof Svcs thru 5/31/19 1993 Dain Dr Stormwater Inspection thru 5/31/19 6800 Mallard Ct Stormwater Inspection thru 5/31/19 Celsius Phase II Stormwater Inspection thru 5/31/19 Golden Doors Stormwater Inspection thru 5/31/19	1,021.25 693.30 353.92 414.55 220.80	2,703.82
11498	0519.02.0430 0519.27.0435	Dexter Wilson Engineering, Inc.	06/19/2019	FY19/20 Sewer Svc Charge Analysis for LG Sani District- May'19 Metro JPA Wastewater Issues - May'19	8,120.00 9,605.00	17,725.00
11499	0514192305 0611192305	Domestic Linen- California Inc.	06/19/2019	Shop Towels & Safety Mats 5/14/19 Shop Towels & Safety Mats 6/11/19	86.60 86.60	173.20
11500	20193580	Dudek	06/19/2019	Prof Svcs: Inspection Support Svcs 4/27/19-5/31/19	10,125.00	10,125.00
11501	5/20-23/19 5/28-30/19	Esgil Corporation	06/19/2019	75% Building Fees- 5/20/19-5/23/19 75% Building Fees- 5/28/19-5/30/19	1,352.56 2,369.82	3,722.38
11502	26624 26728	Excell Security, Inc.	06/19/2019	Senior Center Security Guards - 4/6/19 Senior Center Security Guards - 6/1/19	249.50 533.93	783.43
11503	10413	FailSafe Testing	06/19/2019	Ground Ladder Testing 6/4/19	466.40	466.40
11504	244847-Tax	GB Auto Service, Inc.	06/19/2019	Bal Due-Sales Tax-LGPW#04 '08 Chevy Colo - 4 Tires/Wheel Balance	56.37	56.37
11505	Girmay	Girmay, Dina	06/19/2019	Refund/Girmay, Dina/Partial Deposit - LBH- 6/1/19	290.55	290.55
11506	AR010211	Grossmont Union High School District	06/19/2019	Business Cards- Alvey	25.50	25.50
11507	Reimb 6/13/19	Heiserman, Corey	06/19/2019	Reimb: Trng Exp/Bike Patrol/San Bern-6/4-7/19Heiserman/Kunz	457.07	457.07

11508	Huertero	Huertero-Gutierrez, Delia	06/19/2019	Refund/Huertero-Gutierrez, Delia/Deposit - Courtyard- 6/1/19	300.00	300.00
11509	Jun18 19	ICMA	06/19/2019	ICMA Deferred Compensation Pay Period Ending 6/18/19	580.77	580.77
11510	07-2522	Lemon Grove School District	06/19/2019	Daycamp Supplies	280.72	280.72
11511	165895	MJC Construction	06/19/2019	Repair/Replace Storm Drain - Glencoe Dr	14,000.00	14,000.00
11512	051945	Planetbids, Inc.	06/19/2019	PB System Vendor & Bid Mgmt Setup/Training/Support & Svc	3,991.25	3,991.25
11513	475894	PNC Equipment Finance, LLC	06/19/2019	New Engine Lease Payment - FY20	86,688.44	86,688.44
11514	May19	SDG&E	06/19/2019	Gas & Electric 4/21/19-5/20/19	20,293.38	20,293.38
11515	Jun 20 Jun 6	Southern CA Firefighters Benefit Trust	06/19/2019	LG Firefighters Benefit Trust 6/20/19 LG Firefighters Benefit Trust 6/6/19	830.70 830.70	1,661.40
11516	STMT 5/22/2019 STMT 5/22/2019	US Bank Corporate Payment Systems	06/19/2019	Parking/SDSU City Conference- James 4/25/19 MMASC Leadership Summit/CA- Boyce 5/29/19 Parking/LGA Realignment Mtg/SD- James 5/7/19 Heavy Duty Outdoor Grill/LG Park 2 Stroke Fuel/Saws - Fire Engine Supplies/Fire VAST Conference Call 4/30/19 Council Mtg Audio Annual Subscription Airfare/LCC Mtg/Sacramento/JMendoza 6/14/19 LG Summer Lunch Event/Supplies Women Leading Govt Mtg/SD/Brennan/Carrasco 5/7/19 Credit-Lodging/Anaheim/CCAC Conf Chapel 4/4/19-4/5/19 PW Supplies/Monitor & Converter Box LGPW #03 '00 Ford Ranger/Tow Service Padlocks/Bollards at Promenade LGPW #03 '00 Ford Ranger/Starter/Alt/Battery/Brake Pads/Rotors Windshield Wipers/LGPW #32 LGPW #26/Sewer Camera/Printer Ink Tools/City Hall Brick Repairs Supplies/Gazebo Project/LG Park Daycamp/Skateworld 6/26/19 Daycamp/Supplies Daycamp/Skyzone 7/17/19 Bike to Work Event 5/16/19 Window Tinting/Sheriff Stn Back Door	24.00 115.00 1.50 1,403.00 63.59 59.95 3.35 135.00 291.97 230.71 64.80 -10.00 233.30 83.00 73.46 1,881.02 64.39 181.84 21.53 935.28 200.00 427.05 100.00 17.65 90.00	6,691.39
11517	9831382529	Verizon Wireless	06/19/2019	Modems- Cardiac Monitors - 5/4/19-6/3/19	14.04	14.04
					238,061.86	238,061.86



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.C

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office

Staff Contact: Shelley Chapel, City Clerk

Schapel@lemongrove.ca.gov

Item Title: **Approval of City Council Meeting Minutes**

Recommended Action: Approval of City Council Meeting Minutes.

Environmental Review:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Not subject to review Negative | <input type="checkbox"/> Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: None.

Public Notification: None.

**MINUTES OF A SPECIAL MEETING OF
THE LEMON GROVE CITY COUNCIL
TUESDAY, MAY 30, 2019**

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
and Lemon Grove Successor Agency.*

Call To Order:

Mayor Vasquez called the Regular Meeting to order at 6:03 p.m.

Present: Mayor Racquel Vasquez, Councilmember Jennifer Mendoza, and Councilmember David Arambula

Absent: Mayor Pro Tem Arambula, and Councilmember Matt Mendoza

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Mike James, Assistant City Manager/Public Works Director, Steve Swaney, Fire Chief, Lieutenant Mike Rand, San Diego County Sheriff's Office - Lemon Grove Substation, Roberto Hidalgo, Human Resources Manager, Shelley Chapel, City Clerk, and Molly Brennan, Finance Manager.

Public Comment:

Appeared to comment were: Anita Lopez, Richard Hammett, Karen Pearlman, Jay Bass, and Angeles Nelson

2019 City Council Priority Setting Workshop

Council discussion, to consider priorities and goals for 2019-20 Fiscal Year and provided direction to staff regarding the development of a work plan.

Fiscal Year 2019-20 Priorities:

- 1. Streets and Sidewalks*
- 2. Community Life*
- 3. Diversify City Revenue*
- 4. Public Safety and Homelessness*

Adjournment:

There being no further business to come before the Council, the meeting was adjourned at 8:05 p.m. to a meeting to be held Tuesday, June 4, 2019, in the Lemon Grove Community Center located at 3146 School Lane, for a Regular meeting.

Shelley Chapel, MMC
City Clerk

**MINUTES OF A MEETING OF
THE LEMON GROVE CITY COUNCIL
TUESDAY, JUNE 4, 2019**

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
and Lemon Grove Successor Agency.*

Call To Order:

Mayor Vasquez called the Regular Meeting to order at 6:01 p.m.

Present: Mayor Racquel Vasquez, Mayor Pro Tem David Arambula, Councilmember Jerry Jones, Councilmember Jennifer Mendoza (*arrived 6:04 p.m.*), and Councilmember Matt Mendoza (*arrived 6:03 p.m.*)

Absent: None.

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Mike James, Assistant City Manager/Public Works Director, Steven Swaney, Fire Chief, Lieutenant Mike Rand, San Diego County Sheriff's Office - Lemon Grove Substation, Roberto Hidalgo, Human Resources Manager, and Molly Brennan, Finance Manager.

Pledge of Allegiance:

Pledge of Allegiance to the Flag was led by Mayor Pro Tem David Arambula.

Changes to the Agenda:

City Manager Romero mentioned that the Closed Session item for negotiations was added to the agenda 24 hours prior to the meeting as a time-sensitive matter.

Presentations:

Mayor Vasquez introduced the Winners of the 29th Annual Treganza History Essay Competition Awards for Grade 3, a Special Recognition in the Lemon Grove School District.

Introduce the New Sergeant for the San Diego County Sheriff's Office – Lemon Grove Substation.
(*Item removed from the agenda*)

Mayor Vasquez invited Risa Baron, Principal Public Affairs Representative to the podium to receive a Proclamation on behalf of the San Diego County Water Authority Recognizing San Diego County Water Authority Celebrating 75 Years.

Mayor Vasquez invited Executive Director Hasan Ikhata of SANDAG and his development team who gave a PowerPoint Presentation on SANDAGs Big Vision and 5 Big Moves for the 2021 Regional Plan Update.

Public Comments:

Appeared to comment were: Specific to SANDAG presentation: John L. Wood, Jack Shu, Jeanne Peterson, Jean Costa, John Michno, Liana LeBaron, Angela Deegan, and Amy Laufenberg (San Diego County Fair).

City Council Oral Comments & Reports on Meetings Attended At City Expense: (G.C. 53232.3(d))

Councilmember J. Mendoza attended the following meetings and events:

- Neighborhood Watch Meeting – San Miguel
- SANDAG – Working Energy Group Regional Taskforce on Homeless Goal Setting
- Would like City staff to look into grant funding for Electric Car Charging Stations and Bike Racks

Mayor Vasquez attended the following meetings and events:

- SANDAG Board of Director Meeting
- North Park Episcopal Church – Memorial Day
- Mt. Soledad Veteran Memorial
- Ashley Campbell – Susan Davis Office was at meeting and will return to a future City Council meeting

Consent Calendar:

- A. Waive Full Text Reading of All Ordinances on the Agenda.
- B. Ratification of Payment of Demands
- C. City Council Meeting Minutes for May 21, 2019 Regular Meeting
- D. Approval of Resolution No. 2019-3657, Establishing a Fiscal Year 2019-2020 City Calendar.
- E. Rejection of Claim submitted by Liliana Yanez Alvarado
- F. Rejection of Claim submitted by Christopher Williams
- G. Rejection of Claim submitted by Dante Pride on behalf of Mava Trust
- H. Rejection of Claim submitted by Leroy Mattar
- I. Adoption of Ordinance No. 30, entitled, “An Ordinance Amending Ordinance No. 28 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Use Charges and Repealing Ordinance No. 29.”

Action: Motion by Councilmember/Boardmember J. Mendoza, seconded by Councilmember/Boardmember Jones to approve Consent Calendar Items 1.A-1.E and 1.G-I.

The motion passed by the following vote:

Ayes: Vasquez, Arambula (1.A-1.E, and 1.G), Jones, J. Mendoza, M. Mendoza

Noes: None

Abstained: Arambula (Items 1.G, & 1.H)

Item 1.F. was pulled by a member of the public to be heard at the end of the meeting.

City Manager Romero clarified an error on the date on Item D – should read the City Hall will be closed December 24 – January 2, 2020 for the Christmas Holiday.

Appeared to comment was: John L. Wood

Public Hearing:

2. Approve the Inflatable Jumper Fee

Mayor Vasquez introduced Mike James, Assistant City Manager / Public Works Director who presented the staff report.

Mayor Vasquez opened the Public Hearing at 8:18 p.m.

No Public Speakers

Action: The public hearing was closed at 8:19 p.m. on a motion by Mayor Pro Tem Arambula and second by Councilmember Jones.

The motion passed by the following vote:

Ayes: Vasquez, Arambula, Jones, M. Mendoza

Noes: J. Mendoza (*away from dais 8:18 – 8:20 p.m.*)

Action: It was moved by Councilmember Jones and seconded by Mayor Pro Tem Arambula to adopt Resolution No. 2019-3658, entitled, “A Resolution of the City Council of the City of Lemon Grove, California, Approving the Inflatable Jumper Fee of \$40.”

The motion passed by the following vote:

Ayes: Vasquez, Arambula, Jones, J. Mendoza, M. Mendoza

Noes: M. Mendoza (*away from dais 8:18 – 8:20 p.m.*)

Reports to Council:

3. Overhead and Indirect Cost Allocation Plan

Mayor Vasquez introduced Molly Brennan, Finance Manager who introduced Courtney Ramos with Matrix Consulting Group who gave the report and PowerPoint presentation.

Action: The motion by Vice Chair Arambula and second by Director Jones to adopt Resolution No. 2019-302, entitled, “A Resolution of the Sanitation District of the City of Lemon Grove, California, Approving Fiscal Year 2019-2020 Full Cost Allocation Plan.

The motion passed by the following vote:

Ayes: Vasquez, Arambula, Jones, J. Mendoza, M. Mendoza

Noes: None

4. Draft Fiscal Year 2019-2020 Consolidated Operating and Capital Budget

Mayor Vasquez introduced Molly Brennan, Finance Manager who gave the report and PowerPoint presentation.

Action: Staff recommendation was to review and discuss.

Consent Calendar Item – pulled my a member of the public

F. Rejection of Claim submitted by Christopher Williams

Appeared to comment was: John L. Wood

Action: Motion by Councilmember J. Mendoza, seconded by Councilmember M. Mendoza to approve Consent Calendar Item 1.F.

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: None

Abstained: Arambula

Closed Session:

1. LIABILITY CLAIM

Government Code Section 54956.95

Claimant: David Bryan Turner

Claimed Against: City of Lemon Grove

2. CONFERENCE WITH LABOR NEGOTIATORS Government Code Section 54957.7

Employee Organization: Lemon Grove Firefighters Association, Local 2728 of the International Association of Firefighters

City Representatives: Lydia Romero, City Manager, Mike James, Assistant City Manager/Public Works Director, Molly Brennan, Finance Manager, and Roberto Hidalgo, Human Resources Manager

City Attorney Kristen Steinke announced the City Council will be adjourning to closed session at 9:35 p.m. for the purposes above.

City Attorney Steinke reported no reportable action on items discussed in Closed Session.

Adjournment:

There being no further business to come before the Council, the meeting was adjourned at 10:10 p.m. to a meeting to be held Tuesday, June 18, 2019, in the Lemon Grove Community Center located at 3146 School Lane, for a Regular Meeting.

Shelley Chapel, MMC
City Clerk

**MINUTES OF A MEETING OF
THE LEMON GROVE CITY COUNCIL
TUESDAY, JUNE 18, 2019**

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
and Lemon Grove Successor Agency.*

Call To Order:

Mayor Vasquez called the Regular Meeting to order at 6:01 p.m.

Present: Mayor Racquel Vasquez, Councilmember Jerry Jones, Councilmember Jennifer Mendoza, and Councilmember Matt Mendoza.

Absent: Mayor Pro Tem David Arambula

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Mike James, Assistant City Manager/Public Works Director, Noah Alvey, Community Development Manager, Shelley Chapel, City Clerk, Steven Swaney, Fire Chief, Lieutenant M. Rand, San Diego County Sheriff's Office - Lemon Grove Substation, Roberto Hidalgo, Human Resources Manager, and Molly Brennan, Finance Manager.

Pledge of Allegiance:

Pledge of Allegiance to the Flag was led by Finance Manager Molly Brennan.

Happy Birthday was sung to Finance Manager Molly Brennan.

Presentations:

Mayor Vasquez invited Lt. Rand to the podium to introduce the New Sergeant for the San Diego County Sheriff's Office, working at the Lemon Grove Substation, Sergeant Zheath Sanchez.

Mayor Vasquez invited Assistant City Manager Mike James to the podium to introduce the newest City employee, Noah Alvey, Community Development Manager.

Public Comments:

Appeared to comment were: Kyle Hermann and Roberta Veliquette, Sharon Jones, John L. Wood, Jim Ellis, Fred Sotelo, Christopher Williams, and Ladroe "Drew" Jordan.

City Council Oral Comments & Reports on Meetings Attended At City Expense: (G.C. 53232.3(d))

Councilmember M. Mendoza attended the following meetings and events:

- Welcomed new employee Noah to the City.

Councilmember J. Mendoza attended the following meetings and events:

- Monthly San Diego County Division – League of California Cities Meeting with City Manager Romero
- State League of California Meeting – Transportation, Communication, and Public Works Committee
- Lemon Grove Inter Faith Clergy Group – Dreams for Change

- Request to Schedule a Community Meeting – Regional Task Force - Homeless

Councilmember Jones attended the following meetings and events:

- Monthly Independent Rate Oversight Committee for City of San Diego
- Ad Hoc Metro Wastewater Commission - Strategic Planning

Mayor Vasquez attended the following meetings and events:

- League San Diego Visionary Awards Ceremony
- Heartland Pancake Breakfast
- PACE Facility Tour – College Grove Shopping Center – Senior Services
- Spoke at Point Loma Nazarene University
- San Diego Electrical Training Institute 2019 Graduation Ceremony

Consent Calendar:

- A. Waive Full Text Reading of All Ordinances on the Agenda.
- B. Ratification of Payment of Demands
- C. Approval of Resolution No. 2019-3659, *“A Resolution of the City Council of the City of Lemon Grove, California, Approving the Eighth Amendment to an Option Agreement with the San Diego Community Land Trust for the Parcel Identified as 8084 Lemon Grove Way (475-450-19-00).”*
- D. Approval of Resolution No. 2019-3660, *“A Resolution of the City Council of the City of Lemon Grove, California, Approving a Time Extension of Approved Conditional Use Permit CUP-170-0001 located at 6470 Federal Boulevard,” Extending the Expiration Date of Conditional Use Permit CUP-170-0001 from June 9, 2019 to June 19, 2020.”*
- E. Approval of Resolution No. 2019-3661, *“A Resolution of the City Council of the City of Lemon Grove, California, Approval of Minimum Wage Increase to Ensure Compliance with the California Minimum Wage Increase as Governed by State Law.”*
- F. Approval of Resolution No. 2019-174, *“A Resolution of the Lemon Grove Roadway Lighting District Board Approving the Engineer’s Report Regarding the Zone L Charges for Fiscal Year 2019-2020.”*
- G. Approval of Resolution No. 2019-303, *“A Resolution of the Sanitation District of the City of Lemon Grove, California, Approving the Engineer’s Report Regarding the Sewer Service Charges for Fiscal Year 2019-2020.”*
- H. Approval of Resolution No. 2019-3662, *“A Resolution of the City Council of the City of Lemon Grove, California, Appointing Seth Smith to a Four (4) Year Term on the Lemon Grove Planning Commission.”*
- I. Approval of Resolution No. 2019-3663, *“A Resolution of the City Council of the City of Lemon Grove, California, Approving an Urban Forestry Tree Maintenance Agreement with West Coast Arborists, Inc.”*
- J. Approval of Resolution No. 2019-3664, *“A Resolution of the City Council of the City of Lemon Grove, California, Approving an Agreement for Professional Services with D-Max Engineering, Inc. for Stormwater Support Services.”*
- K. Approval of Resolution No. 2019-3665, *“A Resolution of the City Council of the City of Lemon Grove, California, Approving the Levy and Collection of Assessments with the Lemon Grove Wildflower Landscape Maintenance Assessment District 97-1 for Fiscal Year 2019-2020.”*
- L. Rejection of Claim – David Bryan Turner Jr.

Action: Motion by Councilmember Jones, seconded by Councilmember J. Mendoza to approve Consent Calendar Items A-L.

The motion passed by the following vote:

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

Reports to Council:

2. Fiscal Year 2019-2020 Consolidated Operating and Capital Budget

Mayor Vasquez introduced Molly Brennan, Finance Manager who gave the report and PowerPoint Presentation.

Approval of Resolution No. 2019-3666, entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving the City of Lemon Grove Budget for Fiscal Year 2019-2020 and Authorizing Expenditures Thereto"; and,

Action: The motion by Councilmember Jones and second by Councilmember J. Mendoza to adopt the following Resolutions:

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

Approval of Resolution No. 2019-3667, entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving a Salary Plan and Classification Summary"; and,

Action: The motion by Councilmember Jones and second by Councilmember J. Mendoza to adopt the following Resolutions:

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

Approval of Resolution No. 2019-3668, entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Establishing the Appropriations Limit for Fiscal Year 2019-2020"; and,

Action: The motion by Boardmember Jones and second by Chair Vasquez to adopt the following Resolutions:

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

Approval of Resolution No. 2019-175, entitled, "A Resolution of the Lemon Grove Roadway Lighting District Board Approving the Lemon Grove Roadway Lighting District Budget for Fiscal Year 2019-2020 and Authorizing Expenditures Thereto"; and,

Action: The motion by Boardmember Jones and second by Boardmember M. Mendoza to adopt the following Resolutions:

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

Approval of Resolution No. 2019-304, entitled, "A Resolution of the Lemon Grove Sanitation District Board Approving the Lemon Grove Sanitation District Budget for Fiscal Year 2019-2020 and Authorizing Expenditures Thereto."

Action: The motion Boardmember Jones and second by Boardmember M. Mendoza to adopt the following Resolutions:

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

3. San Miguel Avenue Traffic Analysis

Mayor Vasquez introduced Mike James, Assistant City Manager / Public Works Director in who gave the report and PowerPoint presentation.

Appeared to Comment were: Chris Williams, John L. Wood, Tanya Harris, and Melanie Lucero

Recommendation: *Receive Report and Provide Direction.*

4. Drainage Master Plan Update

Mayor Vasquez introduced Mike James, Assistant City Manager / Public Works Director who provide the report and PowerPoint presentation.

Appeared to Comment were: John L. Wood, and Melanie Lucero

Approval of Resolution No. 2019-3669, entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving the Drainage Master Plan."

Action: The motion by Councilmember Jones and second by Councilmember J. Mendoza to adopt.

The motion passed by the following vote:

Ayes: Vasquez, Jones, J. Mendoza, M. Mendoza

Noes: Arambula

Closed Session:

1. LIABILITY CLAIM

Government Code Section 54956.95

Claimant: Robert Brohead

Claimed Against: City of Lemon Grove

2. LIABILITY CLAIM
Government Code Section 54956.95
Claimant: Marcos Martinez
Claimed Against: City of Lemon Grove
3. LIABILITY CLAIM
Government Code Section 54956.95
Claimant: Reyna Ortiz Mendoza
Claimed Against: City of Lemon Grove
4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9
Name of Case: City of Lemon Grove v. The Grove Collective, et al.
(CASE NO. 37-2016-00015271-CU-BC-CTL)
5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9
Name of Case: Hatsuko Hoss

City Attorney Kristen Steinke announced the City Council will be adjourning to closed session at 8:06 p.m. for the purposes above.

City Attorney Steinke reported no reportable action on items discussed in Closed Session.

Adjournment:

There being no further business to come before the Council, the meeting was adjourned at 8:39 p.m. to a meeting to be held Tuesday, July 2, 2019, in the Lemon Grove Community Center located at 3146 School Lane, for a Regular Meeting.

Shelley Chapel, MMC
City Clerk



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.D

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office

Staff Contact: Shelley Chapel, City Clerk

Schapel@lemongrove.ca.gov

Item Title: **Records Management Program and Retention Schedule Update**

Recommended Action: Approval and Adoption of a Resolution entitled, "A Resolution of the City Council of the City of Lemon Grove, California, Approving a Records Management Program, Records Retention Schedule Update and Rescinding Resolution No. 2015-3335."

Summary:

The City of Lemon Grove recognizes its responsibility and obligation to foster efficient, and cost-effective government and further recognizes the central importance of the management and protection of its records.

It is the policy of the City of Lemon Grove to maintain a Records Management Program which establishes protocols and responsibility for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, uses, retention and disposition of all records through the City Clerk's Office, a division of the City Manager's Office.

The City is updating its Records Management Program, including its Records Retention Schedule and Policies, the last update by the City Council was June 2015. The proposed Records Retention Schedule update is in compliance with local, State and Federal Regulations, the City's operational needs, and are standard business practice for California cities.

Discussion:

Records Management principles recommend periodically reviewing and updating the Records Retention Schedule to ensure an up-to-date inventory of documents, and that the City's retention periods are consistent with legal requirements.

A Records Retention Schedule is a policy decision of the City Council and is a list of all records produced or maintained by an agency and the length of time for which those records are kept. It is within the agency's legal authority to receive, create, retain and dispose of official public records. The Records Retention Schedule assists the agency by documenting the department/office of record, identifying which records are considered "vital", which records have historic or research value, and which records should be destroyed because they no longer have administrative, fiscal, or legal value. In the event of litigation, courts accept a Records Retention Schedule as establishing an agency's "normal course for doing business."

Updates to the Records Retention Schedule are necessary to reduce current and future records storage costs, eliminate duplication of effort, increase efficiency and take advantage of current technology and changes in law. The purpose of the Records Retention Schedule is to apply efficient and economical methods to the creation, maintenance, preservation and disposal of all records managed by the City.

The update of the current records management systems are driven by many factors. Including:

- Limited space in City facilities for records storage;
- Departments reported they are out of space to store their records;
- Many departments are filing and storing copies of the same records;
- The City produces and manages many records that law requires to be kept permanently;
- Technology advancements; and
- Changes in law.

The adoption of the resolution will result in additional efficiency gains and cost savings. Many records are electronic and moving forward that will be the ideal choice of record storage. It is cost efficient, saves physical storage space, and retrieval time is quicker.

Recognizing that managing the paper records already onsite is time consuming, nevertheless, going electronic with those records would mean outsourcing the scanning of documents, which is not an affordable option at this time. Staff continues to watch for grants that may assist in funding this project.

Provisions within local, State and Federal law mandate the minimum length of time certain types of records must be kept, including minimal transitory up to and including

permanent retention for some documents. Additionally, an agency may opt to retain certain records longer than required by State and Federal law due to historical relevance.

Electronic Document Retention

To save documents electronically, files must be kept in a specific format to be considered acceptable by a court of law. Scanning documents to be saved electronically is time-consuming and labor-intensive. Therefore, the City’s practice is to scan documents as feasible. The City Clerk will evaluate implementation of a systematic, multi-year, phased approach to scanning historical documents with permanent retention. The ultimate goal being to provide access of those documents through a public portal on the City’s website, for greater transparency, and reduction in the number of public records requests which currently consumes a great deal of staff time.

Attachment B is the comprehensive list of the records managed by the City and the strikethrough/changes in the Records Retention Schedule being considered by the City Council. This draft Records Retention Schedule has been reviewed by the City Manager, City Attorney and Department Directors and Managers.

Environmental Review:

- Not subject to review**
- Negative Declaration**
- Categorical Exemption, Section**
- Mitigated Negative Declaration**

Fiscal Impact:

None.

Public Notification:

None.

Staff Recommendation: Approval and Adoption of a Resolution entitled, “A Resolution of the City Council of the City of Lemon Grove, California, Approving Records Management Program, Records Retention Schedule Update and Rescinding Resolution No. 2015-3335.”

Attachments:

- Attachment A – Resolution**
- Attachment B – Records Retention Schedule Redlined including Justifications for Changes**

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE,
CALIFORNIA, APPROVING RECORDS MANAGEMENT PROGRAM,
RECORDS RETENTION SCHEDULE UPDATE AND RESCINDING
RESOLUTION NO. 2015-3335**

WHEREAS, the City Council of the City of Lemon Grove recognizes its responsibility and obligation to foster efficient and cost-effective government and further recognized the central importance of the management and protection of its records; and

WHEREAS, the volume of paperwork generated by City departments which constitute vital records of policy, planning, growth, building regulation, and emergency services make it necessary to implement a sound program of records management, disclosure, and retention to more effectively use the available space, minimize potential liability, provide information in a timely manner, and coordinate departmental efforts; and

WHEREAS, a record may be defined as information in any tangible medium used in the operation or administration of City business; records media including hardcopy, source document microfilms, and computer out-put; and various media such as magnetic media, cloud based storage, CD Rom or DVD; and

WHEREAS, the maintenance of numerous records is expensive, slows document retrieval, and is not necessary after a certain period of time for the effective and efficient operation of the government of the City of Lemon Grove; and

WHEREAS, Section 34090 of the Government Code of the State of California provides procedure whereby any City records which has served its purpose and is no longer required may be destroyed; and

WHEREAS, an effective Records Management Program demonstrates to legal and regulatory authorities that the City of Lemon Grove is making every reasonable effort to retain and dispose of records in a responsible manner and in accordance with local, State and Federal regulations, applicable guidelines and best practices among California cities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby approves:

1. Resolution Number 2015-3335 is hereby rescinded;
2. The records of the City of Lemon Grove, as set forth in the Records Retention Schedule Exhibit A, attached hereto and incorporated herein by this reference, are hereby authorized to be destroyed as provided by Section 34090 et seq. of the Government Code of the State of California and in accordance with the provision of said schedule upon the request of the Department Head/Director or Designee and with the consent in writing of the City Clerk and City Attorney, without further action by the City Council of the City of Lemon Grove;
3. With the consent of the City Clerk, City Manager, and City Attorney, updates are hereby authorized to be made to the Records Retention Schedule without further action by the City Council of the City of Lemon Grove; and
4. The term “records” as used herein shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers; as defined by the California Public Records Act.

PASSED AND ADOPTED on _____, 2019, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Racquel Vasquez, Mayor

Attest: Shelley Chapel, MMC, City Clerk

Approved as to Form: Kristen Steinke, City Attorney

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Amended:										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Justification/Reference
CITY-WIDE UNIVERSAL RECORDS										
CW-001	HR	Accident, Incident, Injury reports: EMPLOYEES, with associated MSDS, if a chemical was involved OSHA 300 INJURY/ILLNESS LOG - Must be maintained for 5 years	5 years	Included in personnel file retention	Separation + 30 years		Mag, Ppr		Included in personnel file retention	Copies retained for reference; GC §34090.7 OSHA 300 INJURY/ILLNESS LOG must be maintained for 5 years 29 CFR 1904.33
CW-002	PW/RISK	Accident, Incident, Injury reports: PUBLIC	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			Copies retained for reference; GC §34090.7
CW-003	FIN	Accounts Payable, Invoices, Petty Cash, Warrant Requests, etc. ALL backup is forwarded to Finance	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Payment	Mag, Ppr			All originals go to Finance (these are copies); GC §34090.7
CW-004 DUPLICATE	CC Lead-Dept.	Affidavits of Publications / Public Hearing Notices / Legal Advertising / Affidavits of Posting Public Hearing Notices may be kept with the Project File as a Permanent Record	2-years		2-years		Mag, Mfr, OD, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP 5337 et seq, 349.4; GC 5534090, 54960.1(c)(1)
CW-005 DUPLICATE	CC	Agenda Packets / Staff Reports - City Council / Redevelopment / Successor Agency / Oversight Board	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes - After QC & OD	GC §34090.7
CW-006	CC	Agreements & Contracts ALL (Specifications / Scope of Work, Notices of Completion, etc.)	Copies in Dept may be destroyed when no longer required	Original Agreements to City Clerk	Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	All agreements that are approved by the City Council are sent to the City Clerk; GC §34090.7
CW-007	Lead Dept. CC	Agreements & Contracts: ADMINISTRATIVE FILES (Correspondence, Project Administration, Project Schedules, Certified Payrolls, Insurance Certificates, Invoices, Logs, RFP, etc.) Agreements/Contracts/Insurance Certs and Bonds - Originals	Completion	10 years	Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq. and §343 , GC §34090
CW-008	Lead Dept. CC	Agreements & Contracts: ADMINISTRATIVE FILES (with Grant Funding) (Correspondence, Project Administration, Project Schedules, Certified Payrolls, Insurance Certificates, Invoices, Logs, RFP, etc.) Agreements/Contracts/Insurance Certs and Bonds - Originals	Completion	10 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Some grant funding agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, & 570.502(b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-133GC §34090
CW-009	Lead Dept.	Agreements & Contracts: UNSUCCESSFUL BIDS, UNSUCCESSFUL PROPOSALS or RESPONSES to RFPs (Request for Proposals) and/or RFQs (Request for Qualifications) that don't result in a contract	2 years		2 years		Mag, Ppr		NO	The RFP / RFQ and the successful proposal becomes part of the agreement or contract (City Clerk is OFR); GC §34090, CCP 337
CW-010	FIN	Audits / Audit Reports / CAFR - Comprehensive Annual Financial Reports	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			Copies; GC §34090.7

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Amended:										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Justification/Reference
CW-011		Bids- See Agreements & Contracts								
CW-012	Dept. overseeing BCC	Boards, Commissions, & Committees (BCC): AUDIO RECORDINGS of Meetings / Audio Tapes	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Tape (Mag)	I		City preference; State law only requires for 30 days; GC §54953.5(b) Administrative Decision - Planning Commission Meetings recorded (audio only) and available on City Website as Perm storage
CW-013	Dept. overseeing BCC	Boards, Commissions, & Committees (BCC): City Council Subcommittees (Composed solely of less than a quorum of the City Council)	2 years		2 years		Mag, Ppr			All recommendations are presented to the City Council; GC §34090 et seq.
CW-014		Boards, Commissions, & Committees: External Organizations (e.g. County Board of Supervisors)	When No Longer Required		When No Longer Required		Mag, Ppr			Non-records
CW-015	Staffing Dept.	Boards, Commissions, & Committees: Residents Advisory Bodies Formed by CITY COUNCIL AGENDAS, AGENDA PACKETS.	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Mfr, OD, Ppr	S	May be imaged for historical archive and paper destroyed after QC'd	Brown Act challenges must be filed within 30 or 90 days of action; GC Sections: 34090, 54960.1(c)(1) If Imaged - save to website and ECM only
CW-016	Staffing Dept.	Boards, Commissions, & Committees: Residents Advisory Bodies Formed by CITY COUNCIL MINUTES, RESOLUTIONS & BYLAWS	P		P	Yes	Mag, Mfr, OD, Ppr	S	Ne May be imaged for historical archive and paper destroyed after QC'd	Notes taken to facilitate the writing of the minutes can be destroyed after minutes have been adopted; GC §34090 et seq. If Imaged - save to website and ECM only - Paper must still be archived
CW-017		Brochures: See Reference Manuals								
CW-018	FIN	Budgets - Finals	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S/I	Yes: After 5 years	Final must be filed with County Auditor; GC §34090.7, 40802, 53901 If Imaged - save to website and ECM only
CW-019	Lead Dept. & FIN	Cash Receipts Detail / Backup / Accounts Receivable Detail / Refund Detail	2 years		2 years		Mag, Ppr			City preference (not all detail is sent to Finance); GC §34090
CW-020	Lead Dept.	City Attorney Opinions	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years	Yes	Mag, Mfr, OD, Ppr	S		Department Preference; GC §34090
CW-021	PW/RISK	Claims	Copies - When No Longer Required (Upon Settlement)		Copies - When No Longer Required (Upon Settlement)	Yes: Before Settlement	Mag, Mfr, OD, Ppr	S/I	Yes: After Settlement	GC Sections: 34090.7, 34090.6
CW-022	Lead Dept.	Committees Internal - Attended by employees: All Records (e.g. Records Management Committee, In-House Task Forces, etc.)	2 years		2 years		Mag, Ppr			GC §34090
CW-023	Lead (Responding) Dept.	Complaints / Concerns from Citizens Computer Tracking Software or Correspondence	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Ppr			City preference; Statute of Limitations for personal property, fraud, etc. is 3 years; Claims must be filed in 6 months; CCP Sections: 338 et seq., 340 et seq., 342, GC §945.6, GC §34090

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Amended:										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Justification/Reference
CW-024		Contracts: See Agreements	Copies - When No Longer Required		Copies - When No Longer Required					
CW-025		Copies or duplicates of any record	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr			GC §34090.7
CW-026	Dept. that Authors Document or Receives the City's Original Document	Correspondence - ROUTINE (e.g. Administrative, Chronological, General Files, Letters, Memorandums, Reading File, Working Files, etc.)	2 years		2 years		Mag, Ppr			GC §34090
CW-027	Dept. that Authors Document or Receives the City's Original Document	Correspondence - TRANSITORY / PRELIMINARY DRAFTS, Interagency and Intraagency Memoranda not retained in the ordinary course of business (e.g. calendars, checklists, e-mail or social media posting NOT made or retained for the purpose of preserving the informational content for future reference, invitations, instant messaging, inventories, logs, mailing lists, meeting room registrations, supply inventories, telephone messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages, and text messages , etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			Electronic and paper records are filed and retained based upon their content. E-mails, electronic records, or social media postings that ARE made or retained for the purpose of preserving the informational content for future reference are saved outside the e-mail system by printing them out and placing them in a file folder, or saving them electronically; if not mentioned here, consult the City Attorney to determine if a record is considered transitory / preliminary drafts. GC §34090, GC §6252; 64 OPS Cal Attorney General 317 (1981)
CW-028	CC	Deeds, Easements, Final Orders of Condemnations (All)	Copies - When No Longer Required		Copies - When No Longer Required Originals are all sent to City Clerk for Permanent Retention		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Send all originals to the City Clerk; GC §34090.7
CW-029	Lead Dept.	Drafts & Notes: Drafts that are revised (retain final version)	When No Longer Required		When No Longer Required		Mag, Ppr			As long as the drafts and notes are not retained in the "Regular Course of Business". Consult the City Attorney to determine if a record is considered a draft. GC §§34090, 6252, 6254(a)
CW-030	Lead Dept.	Facility Use Applications / Facility Use Permits	2 years		2 years		Mag, Ppr			GC §34090
CW-031	Lead Dept.	GIS Database / Data / Layers (both City-wide and Specialized)	When No Longer Required		When No Longer Required	Yes	Mag			The Lead Department should print out historical documents (or save source data) prior to replacing the data, if they require the data or output for historical purposes; Department Preference (Preliminary documents); GC §34090 et seq.
CW-032	Lead Dept.	Grants (UNSUCCESSFUL Applications, Correspondence)	2 years		2 years		Mag, Ppr			GC §34090

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Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Amended:										
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CW-033	Lead Dept.	Grants / CDBG / Reimbursable Claims / FEMA Claims (SUCCESSFUL Reports, other records required to pass the funding agency's audit, if required) Applications (successful), grant agreement, program rules, regulations & procedures, reports to grant funding agencies, correspondence, audit records, completion records Excludes State Prop 1B (2006 Transportation Projects), which the State requires for 35 years	2 years	After Funding Agency Audit, if required - Minimum 5 years After Funding Agency Audit, if Required - Minimum 8 years	After Funding Agency Audit, if required - Minimum 5 years Keep total of 10 years		Mag, Mfr, OD, Ppr	I/S	Yes, after Closed	Meets auditing standards; Grants covered by a Consolidated Action Plan are required for 5 years; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; 7 CFR 3016.42 ; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, 570.490, & 570.502(a&b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A- 110 & A-133; GC §34090; 24 CFR 570.502 Section 200.333
CW-034	HR	Grievances and Informal Complaints (Employees)	Copies - When No Longer Required		Copies - When No Longer Required Retain 2 Years after Final Action Taken	Yes: Before Disposition	Mag, Ppr			Send all grievances to Human Resources; All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; GC §12946, 34090
CW-035	CA	Lawsuits, Litigation, Pending Litigation	Copies - When No Longer Required (Upon Settlement)		Copies - When No Longer Required (Upon Settlement)	Yes: Before Settlement	Mag, Mfr, OD, Ppr	S/I	Yes: After Settlement	Risk Management administrates claim; GC §§34090.7, 34090.6
CW-036	Lead Dept.	Material Safety Data Sheet (MSDS) / Safety Data Sheet (SDS) Chemical Use Report Form (or records of the chemical / substance / agent, where & when it was used)	While Chemical In Use	30 years	30 years		Mag, Mfr, OD, Ppr	S	Yes - After QC & OD	Previous MSDS may be obtained from a service; MSDS may be destroyed as long as a record of the chemical / substance / agent, where & when it was used is maintained for 30 years; Applies to qualified employers; Claims can be made for 30 years for toxic substance exposures; 8 CCR 3204(d)(1)(B)(2 and 3), 29 CFR 1910.1020(d)(1)(i), GC §34090
CW-037	CC	Minutes - City Council	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S/I	No-Originals are scanned for easy access and Bound for Permanent Storage	Originals maintained by City Clerk Permanently; GC §34090.7 If Imaged - save to website and ECM only
CW-038	CC	Municipal Code (these are copies)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Original	Mag, Mfr, OD, Ppr	S/I	Yes	Return any whole unused codes to the City Clerk; Originals maintained by City Clerk Permanently on paper and scanned into ECM for efficiency ; GC §34090; GC §350115
CW-039	Lead Dept.	Newspaper Clippings	When No Longer Required		Copies - When No Longer Required		Ppr			Non-records - may be obtained from the newspaper company; GC §34090
CW-040	Staffing Dept.	Notices: Public Hearing Notices and Proofs of Publications	2 years		2 years - If Infrastructure retain permanently with project file		Mag, Ppr	S/I		Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP§337 et seq; GC §34090 If infrastructure, retain permanently with project file. Alternately may be scanned into ECM for archival purposes and paper can be destroyed.
CW-041	CC	Ordinances - City Council	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No Originals are scanned for easy access and Bound for Permanent Storage	Originals maintained by City Clerk Permanently; GC §34090.7 If Imaged - save to website and ECM only

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CW-042	HR	Personnel Files	Shred Upon Separation or Transfer - This applies to Dept. copy only		Shred Upon Separation or Transfer - This applies to Dept. copy only	Before Separation	Mag, Ppr			Ensure records kept in Department files comply with City policy (all originals are sent to Human Resources); GC §34090.7 HR Files/Records are retained under a different retention code - see HR-13
CW-043	Lead Dept.	Personnel Files (Supervisor's Notes)	May Destroy - After Incorporation into Performance Evaluation		May Destroy - After Incorporation into Performance Evaluation	Before Annual Evaluation	Mag, Ppr			Notes maintained in a separate folder to be incorporated into performance evaluation, or to document progressive discipline; GC §34090 et seq. Preliminary Drafts are not included and may be destroyed at anytime.
CW-044	Lead Dept.	Personnel Work Schedules	2 years		2 years		Mag, Ppr			GC §34090
CW-045	Lead Dept.	Prop. 218 Fees & Charges: Ballots and/or protest letters, Mailing	2 years		2 years		Ppr			GC §53753(e)(2)
CW-046	Lead Dept.	Prop. 218 Fees & Charges: Undeliverable Mail	3 months		3 months		Ppr			Transitory records not retained in the ordinary course of business; GC §34090
CW-047	Lead Dept.	Public Relations / Press Releases	2 years		2 years		Mag, Ppr			GC §34090
CW-048	Lead Dept. (Who Ordered the Appraisal)	Real Estate Appraisal Reports: Property NOT purchased, Loans not funded, etc.	2 years		2 years		Mag, Ppr			Not accessible to the public; Statewide Guidelines show 2 years; GC §§34090, 6254(h)
CW-049	Lead Dept. (Who Ordered the Appraisal)	Real Estate Appraisal Reports: Purchased Property, Funded Loans	2 years	When No Longer Required - Minimum 3 years	When No Longer Required - Minimum 3 years	Yes: Before Purchase	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Not accessible to the public until purchase has been completed; meets grant auditing requirements; 24 CFR 85.42 & 91.105(h), & 570.502(b); 29 CFR 97.42, GC §34090
CW-050	CC	Records Destruction Lists / Certificate of Records Destruction	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §34090.7
CW-051	Not an Agency Record	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by OUTSIDE ORGANIZATIONS (League of California Cities, Chamber of Commerce, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			Non-Records
CW-052	Lead Dept.	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by YOUR Department	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Statewide guidelines propose superseded + 2 or 5 years; GC §34090
CW-053	Lead Dept.	Reference Materials: Policies, Procedures, Brochures, Flyers, Manuals, etc: Produced by OTHER Departments	When Superseded		When Superseded		Mag, Ppr			Copies; GC §34090.7
CW-054		Reference or Working Files: See Correspondence								
CW-055	Lead Dept.	Reports and Studies (Historically significant - e.g., Zoning Studies)	10 years	P	P		Mag, Mfr, OD, Ppr	S/I	Yes: After 10 years	Administratively and Historically significant, therefore retained permanently; GC §34090
CW-056	Lead Dept.	Reports and Studies (other than Historically significant reports - e.g., Annual Reports)	10 years		10 years		Mag, Ppr			Information is outdated after 10 years; If historically significant, retain permanently; GC §34090

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CW-057	CC	Resolutions - City Council	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No-Originals are scanned for easy access and Bound for Permanent Storage	Originals maintained by City Clerk Permanently; GC §34090.7 If Imaged - save to website and ECM only
CW-058	Lead Dept.	Special Projects / Subject Files / Issue Files	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090 et seq.
CW-059	Lead Dept.	Subject / Reference Files: Subjects other than Specifically Mentioned in Retention Schedules ("Desk Files")	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090 et seq.
CW-060	Lead Dept.	Surveys / Questionnaires (that the City issues). If a summary of the data is compiled, the survey forms are considered a draft or transitory record, and can be destroyed as drafts (When No Longer Required)	2 years		2 years		Mag, Ppr			GC §34090
CW-061		Tapes / DVD Recordings: See Boards & Commissions	Copies - When No Longer Required		Copies - When No Longer Required					
CW-062	FIN	Time Sheets / Time Cards / Overtime Sheets / Overtime Cards / Leave Slips	Copies - When No Longer Required 3 years		Copies - When No Longer Required 3 years		Mag, Ppr			Copies; GC §34090.7 IRS requires 3 years min.; 29 CFR Part 1602(A)(2), IRS R31.60011 (E)(2)
CW-063	Lead Dept.	Training - ALL COURSE RECORDS (Attendance Rosters, Outlines and Materials; includes Ethics & Safety Training & Tailgates)	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S	Yes: When Inactive	Department preference; Ethics Training is 5 years; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 1627.3(b)(ii) 1602.31, LC §6429(c); GC §§12946, 34090, 53235.2(b)
CW-064	Lead Dept.	Insurance Certificates - Received for work done not attached to a City agreement or Contact. Does NOT include Encroachment Permits (see ENG-012)	2 years	9 years	11 years		Mag, Ppr, OD	S	Yes after QC'd	Longest statute of Limitations is 10 years and conforms with the agreement term of 10 years. Statewide guidelines propose Perm: Administrative Decision is 11 years will suffice: CCP Sec 337 et seq; G.C. 34090 (d)
CW-065	Lead Dept	IT - Backup - Network	Rotation		Rotation		Mag			G.C. 34090.7 Store Offsite in Storage for Disaster Recovery purposes only. Considered a copy - Destroy when no longer required.
CW-066	Lead Dept	Volunteers - Applications Successful Unsuccessful	Seperation or Inactive + 3 years 3 years		Seperation or Inactive + 3 years 3 years		Ppr		No	EEOC/FLSA/DEA requires 3 years in case of promotion, demotion, transfer, selection or discharge; 29 CFR 1602.31 & 1627.3(b)(i) & (ii) GC 34090

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								Image: i=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
CW-067	Lead Dept	FEMA Disaster Planning - (Includes Communications, (Reverse 911), Emergency Call Lists, and EOC - correspondence and planning documents)	3 years		3 years					GC §34090; 44 CFR Part 13 (c) 13.42; CalEma, Homeland Security Requirement per letter dated 8/24/2011 to grantees
CW-068	Lead Dept	FEMA Disaster Case Files	P	P	P	Yes	Mag, Ppr, OD	S	Yes after QCd	GC §34090; 44 CFR Part 13 (c) 13.42; CalEma, Homeland Security Requirement per letter dated 8/24/2011 to grantees
CW-069	Lead Dept	Mutual Assistance Reimbursement	Reimbursement	7 years	Reimbursement + 7 years or until after audit		Mag, Ppr			GC §34090; 44 CFR Part 13 (c) 13.42; CalEma, Homeland Security Requirement per letter dated 8/24/2011 to grantees
CW-070	CC	Historical Records (Photographs, Videos, Aerial photos, Artifacts, Time Capsule, includes geographic site names)	2 years	P	P		Mag, Ppr, OD	S	Yes after QCd	G.C. 34090(d); Permanent for historic value; transfer to City Clerk for final historic determination and disposition/preservation

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DEVELOPMENT SERVICES DEPARTMENT / BUILDING DIVISION										
BLD-001	DSD/BLDG	Building Permit Database	Indefinite		Indefinite	Yes (all)	Mag	S/I		Department Preference - Data is interrelated; GC §34090, H&S §19850
BLD-002	DSD/BLDG	Building Permits / Address Files	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Statewide guidelines propose permanent; GC §34090, H&S §19850
BLD-003	DSD/BLDG	Building Plans - Expired or Withdrawn	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department preference; Preliminary drafts not retained in the ordinary course of business; CBC §104.7; H&S§19850, GC §34090
BLD-004	DSD/BLDG	Building Plans and Construction Documents - Finalled - SINGLE FAMILY RESIDENTIAL - SFR and APPURTENANCES	P		P	Yes	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Law does not require plans to be filed for dwellings less than 2 stories, garages & appurtenances, farms/ranches, 1-story with bearing walls less than 25'; CBC requires 180 days from completion date; CBC 104.7 & 107.5, H&S§19850, GC §34090
BLD-005	DSD/BLDG	Building Plans and Construction Documents - Finalled - INDUSTRIAL, COMMERCIAL, MULTI-FAMILY DWELLINGS, PLACES OF PUBLIC ACCOMMODATION, TENANT IMPROVEMENTS (includes commercial structural plans, Hazardous Materials Questionnaire, etc.)	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference; Law requires for the life of the building for commercial and common interest dwellings only; Statewide guidelines propose 2 years for blueprints & specifications; CBC 104.7 & 107.5, H&S§19850, GC §34090
BLD-006	DSD/BLDG	Construction Notices / Inspection Notices (correction notices, compliance orders, stop work notices, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary Drafts; GC §34090
BLD-007	DSD/BLDG	Reports: Building Activity	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts not retained in the ordinary course of business; GC §34090 et seq.
BLD-008	DSD/BLDG	Requests & Permissions to Receive Copies of Plans (to and from Architects)	2 years		2 years		Mag, Ppr			GC §34090 et seq.
BLD-009	DSD/BLDG	Uniform Building Codes / California Building Codes	P		P		Mag, Ppr			GC §50022.6

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DEVELOPMENT SERVICES DEPARTMENT - CODE ENFORCEMENT DIVISION										
CE-001	DSD/CODE ENFORCEMENT	Code Enforcement/ Abatement Case Files (includes Appeals and Code Enforcement Complaint Letters) Send Liens to City Clerk for Retention	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes; Until Resolution	Mag, Ppr, OD	S	Yes: After QC & OD Liens Only	Department Preference; Case is open until satisfactorily resolved (some cases are not resolved); CFC §104.3.4, GC §34090
CE-002	DSD/CODE ENFORCEMENT	Tobacco Retail Licensing (application, license and GIS maps)	Minimum 2 years		P		Mag, Ppr, OD	S	Yes: After QC & OD	GC §34090 - Documents stored in database are permanent

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CITY CLERK										
CC-001	CC Lead Dept.	Affidavits of Publications / Public Hearing Notices / Legal Advertising / Affidavits of Posting Public Hearing Notices may be kept with the Project File as a Permanent Record	2 years		2 years		Mag, Mfr, OD, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §§34090, 54960.1(c)(1)
CC-002	CC	Agendas / Agenda Packets / Staff Reports City Council, Planning Commission, Redevelopment Agency, Oversight Committee, Successor Agency, Sanitation District, Housing Authority, Roadway Lighting District	2 years (Paper) Until scanned and QC'd into Respository as Image	P	P	Yes: Until After Meeting	Mag, Mfr, OD, Ppr	S/I	Yes: After 2 years After QC'd	Department Preference; GC §34090 et seq. Historical Reference Paper - scan into Respository as Image and QC then paper can be destroyed. Going to paperless agenda April 2019 so going forward only image will be retained.
CC-003	CC	Agreements / Contracts - ALL - Professional Services, Non-Infrastructure that are <u>NOT</u> Imaged Agreement or Contract includes all contractual obligations (e.g. Amendments, Scope of Work or Successful Proposal) Examples of NON-Infrastructure: Consulting, disposal, leases, loans, mutual aid, professional services, settlement, services, Bid Notices, Proposals, Plans & Specs, Change Orders, Notice of Completions, Certificates of Completeion, Hold Harmless Agreements etc.	Completion	10 years	Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Department Preference; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090
CC-004	CC	Agreements / Contracts - ALL - Projects, Development, If Imaged, Infrastructure, CIPs, DDAs, OPAs, MOUs, MOAs Agreement or Contract includes all contractual obligations (e.g. Amendments, Scope of Work or Successful Proposal) Examples of Infrastructure: Architects, CIPs (Capital Improvement Projects,) City Manager employment contracts, franchise agreements, subdivision improvement agreements, development, Joint Powers, MOUs, retirement, water rights, Bid Notices, Proposals, Plans & Specs, Change Orders, Notice of Completions, Certificates of Completeion, Hold Harmless Agreements etc.	Completion	P	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: Upon Completion	Department Preference; All infrastructure, JPAs, & Mutual Aid contracts should be permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; land records are permanent by law; CCP §337 et. seq., GC §34090; Contractor has retention requirements in 48 CFR 4.703
CC-005	CC	Board & Commission Recruitments: Applications, correspondence, notices, etc. Successful Candidates Unsuccessful Candidates	Term + 2 years 2 Yrs		Term + 2 years 2 Yrs		Mag, Ppr			GC §34090
CC-006	CC	Committee Rosters / Boards, Commissions and Committees (Maddy Act)	2 years		2 years		Mag, Ppr			GC §34090
CC-007	CC	Economic Interest Filings (FPPC 700 Series Forms - Statement of Economic Interests): ALL	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years and QC'd Originals may be destroyed	City maintains original statements; GC §81009(e)&(g); GC §81009(f)&(g); 2 CCR 18615(d)

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CC-008	CC	Ethics Training Certificates	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	GC §12946, 29 USC 1113 Retained by HR in Personnel File
CC-009	CC	FPPC Form 801 (Gift to Agency Report)	7 years		7 years		Mag, Ppr	S / I	Yes: After 2 years and QCd Originals may be destroyed	Must post on website; FPPC Opinion; 2 CCR 18944(c)(3)(G); GC § 81009 and § 84615 and FPPC Regulations 18944 and 19844.1
CC-010	CC	FPPC Form 802 (Event Ticket / Pass Distributions Agency Report)	7 years		7 years		Mag, Ppr	S / I	Yes: After 2 years and QCd Originals may be destroyed	Should post on website for 4 years; GC §81009; GC § 81009 and § 84615 and FPPC Regulations 18944 and 19844.1
CC-011	CC	FPPC Form 803 (Behested Payment Report)	P 7 years		P 7 years		Mag, Ppr	S / I	Yes: After 2 years and QCd Originals may be destroyed	FPPC Regulation 18734(c); GC § 81009 and § 84615 and FPPC Regulations 18944 and 19844.1
CC-012	CC	FPPC Form 804 (Agenda Report of New Positions)	P	P	P		Mag, Ppr	S / I	Yes: After 2 years and QCd Originals may be destroyed	FPPC Regulation 18734(c); GC § 81009 and § 84615 and FPPC Regulations 18944 and 19844.1
CC-013	CC	FPPC Form 805 (Agency Report of Consultants)	7 years P	P	P		Mag, Ppr, OD	S / I	Yes: After 2 years and QCd Originals may be destroyed	GC §34090; GC §81009(e); FPPC Regulation 18734(c); GC § 81009 and § 84615 and FPPC Regulations 18944 and 19844.1
CC-014	CC	FPPC Form 806 (Agency Report of Public Official Appointments)	7 years		7 years		Mag, Ppr, OD	S / I	Yes: After 2 years and QCd Originals may be destroyed	Must post on website; 2 CCR 18705.5; GC §34090; GC § 81009 and § 84615 and FPPC Regulations 18944 and 19844.1
CC-015	CC	Campaign Filings (FPPC 400 Series Forms & Form 501): SUCCESSFUL CANDIDATES (Elected Officials)	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years and QCd Originals may be destroyed	Paper must be retained for at least 2 years; GC §81009(b)(g)
CC-016	CC	Campaign Filings (FPPC 400 Series Forms & Form 501): UNSUCCESSFUL CANDIDATES	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After 2 years and QCd Originals may be destroyed	Paper must be retained for at least 2 years; GC §81009(b)(g)

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CC-017	CC	Campaign Filings (FPPC 400 Series Forms): THOSE NOT REQUIRED TO FILE ORIGINAL WITH CITY CLERK (copies)	4 years		4 years		Mag, Ppr	S / I	Yes: After 2 years and QC'd Originals may be destroyed	Paper must be retained for at least 2 years; GC §81009(b)(g)
CC-018	CC	Campaign Filings (FPPC 400 Series Forms): OTHER COMMITTEES (PACS - not candidate-controlled)	7 years		7 years		Mag, Ppr	S / I	Yes: After 2 years and QC'd Originals may be destroyed	Paper must be retained for at least 2 years; GC §81009(c)(g)
CC-019	CC	Elections - GENERAL, WORKING or ADMINISTRATION Files (Correspondence, Precinct Maps, County Election Services, Candidate Statements to be printed in the Sample Ballot, etc.)	2 years		2 years		Mag, Ppr			GC §34090
CC-020	CC	Elections - HISTORY Files (Sample Ballot, Results Notices, Affidavits, Ballot Measure/Intiative/Referendum files, Arguments, Rebuttals, City Attorney Analysis, Sample Ballots, Certification of Election, Oath of Office, Voters Pamphlet)	P	p	P		Mag, Mfr, OD, Ppr	S	Yes	Department preference; GC §34090
CC-021	CC	Elections - Petitions (Initiative, Recall or Referendum) Do NOT make or retain copies. These are CONFIDENTIAL and not for public inspection. For City Clerk's eyes only unless legal action and then privileged (City Attorney to determine privilege).	Results or Final Examination if No Election	8 Months following	Results or Final Examination if No Election + 8 mo.					Not accessible to the public; The 8 month retention applies after election results, or final examination if no election, unless there is a legal or FPPC proceeding. EC §§17200, 17400 Must be placed in a sealed box and locked in a location with limited access until destruction.
CC-022	CC	Historical Records & Historical Projects (e.g. Incorporation, City Seal, Awards of significant historical interest, etc.)	P	p	P		Mag, Mfr, OD, Ppr	S	No	City Clerk determines historical significance; records can address a variety of subjects and media. Some media (e.g. audio and video tape) may be limited because of the media's life expectancy; GC §34090
CC-023	CC	Litigation / Lawsuits: Final Settlements, Significantly Historical Documents	Final Resolution	5 years	P	Yes: Until Resolution	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; Covers various statute of limitations; CCP §§ 337 et seq.; GC §§ 911.2, 945.6, 34090, 34090.6; PC §832.5
CC-024	CC	Minutes - City Council, Community Development Agency (CDA) / Redevelopment, Successor Agency, Oversight Board, Lemon Grove Sanitation District, Lemon Grove Roadway Lighting District	P	p	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090
CC-025	CC	Municipal Code Administration, Distribution, etc.	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts not retained in the ordinary course of business; GC §34090
CC-026	CC	Municipal Code and History File (always retain 1 supplement)	2 years	P	P		Mag, Mfr, OD, Ppr	S	No	GC §34090; GC 50115; Administrative Decision: City Clerk is Historian and will retain one original of Supplement and the pages being replaced for reference. This can electronic if saved as TIFF and paper destroyed as copy.
CC-027	CC	Ordinances (City Council)	P	p	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090 et. seq.
CC-028	CC	Petitions (submitted to Council on any subject - Dog Parks, Parking, Traffic Calming, etc.) See Elections for Initiative, Recall or Referendum Petitions	1 year		1 year		Ppr			Law requires 1 year for petitions; GC §50115
CC-029	Lead Dept.	Proof of Publication / Public Hearing Notices / Certificate of Posting / Legal Advertising (Usually kept with Project Files)	2.5 years		2.5 years		Mag, Ppr			Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP§337 et seq; GC §34090

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Amended:										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Justification/Reference
CC-030	CC	Recorded Documents / Real Property - Records that Affect the Title to Real Property (Deeds, Easements, Liens, Rights of Way, etc.)	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	No	GC §34090
CC-031	CC	Recordings / Tapes of City Council Meetings - Audio Recordings	10 years		10 years		Mag, OD		Website	Department Preference; State law only requires for 30 days; GC §54953.5(b)
CC-032	CC	Records Destruction Lists / Certificates of Records Destruction	P	p	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; GC §34090 et. seq.
CC-033	CC	Records Retention Schedules / Amendments to Records Retention Schedules	10 years	p	P		Mag, Mfr, OD, Ppr	I		GC §34090 et. seq.
CC-034	CC	Redevelopment Plans	5 years		5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; GC §34090
CC-035	CC	Redevelopment Project Files & Project Plans	5 years		5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; GC §34090
CC-036	CC	Relocation Files Where Redevelopment was the Lead	Settle	5 years	Settle + 5 years	Yes: Until Settlement	Mag, Ppr			Consistent with Claims; CCP §§ 337 et seq.; GC §§ 945, 34090, 34090.6; PC §832.5
CC-037	CC	Request for Public Records / Subpoenas	2 years		2 years		Mag, Ppr		Yes: After QC & OD	GC §34090 If Electronic or Scanned into System, paper version of request and responding documentation can be destroyed as copies.
CC-038	CC	Resolutions - City Council, Community Development Agency (CDA) / Redevelopment, Successor Agency, Oversight Board, Lemon Grove Sanitation District, Lemon Grove Roadway Lighting District	P	p	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §34090 et. seq.
CC-039	CC	Vehicle Titles ("Pink Slips")	Sale or Disposal		Sale or Disposal		Mag, Ppr			Department Preference; GC §34090
CC-040	CC	Conflict of Interest Code	P	p	P		Mag, Ppr, OD		Yes: After QC & OD	Must post on website; Included with staff reports; 18702.5
CC-041	CC	Nomination Papers - CONFIDENTIAL Successful Unsuccessful	4 years after event 2 years after event	1 year 1 year	5 year 3 year		Mag, Ppr, OD		No - Confidential Records	GC §81009(b); EC 17100; - Secretary of State suggested retention period
CC-042	CC	Certificate of Elections - Original reports and statements	Term	4 years	Term + 4 years		Mag, Ppr, OD		Yes: After QC & OD	GC §81009(a) (d); Secretary of State suggested retention period
CC-043	CC	Statement of Facts - SOS form Agency Reorganization	Election	4 years	Election + 4 years		Mag, Ppr, OD		No	GC §81009(a) (d); Secretary of State suggested retention period
CC-044	CC	Notary Bonds - Employee Notaries	Expired (Term is 4 years)	4 years	Expired (Term is 4 years) + 4 years		Mag, Ppr, OD		No	GC §81009(a) (d); Secretary of State suggested retention period

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CC-045	CC	Campaign Statements Successful Candidates Unsuccessful Candidates	Election 2 years	4 years 3 years	P 5 years		Mag, Ppr, OD		Yes: After QC & OD	G.C. 81009(b)(g) After two years, documents can be scanned on imaging program and paper destroyed. Five years min 29 CFR 1602.31, 1627.3(b)(11); G.C. 12946
CC-046	CC	Passport Transmittals (Copy)	2 years		2 years					GC §34090 - Original transmittal accompanies passport and retained by US Dept. of State Passport Services
CC-047	CC	Election - Ballots	6 months from date of election		6 months from date of election					GC §34090; EC §15551, and § 17302
CC-048	CC	Legal Opinions	P		P					GC §34090

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CITY MANAGER'S OFFICE										
CM-001	City Manager	City Council Correspondence / Mayors Correspondence	When no Longer Required - Minimum 2 years		When no Longer Required - Minimum 2 years		Mag, Ppr			GC §34090
CM-002	City Manager	City Manager / Economic Development Projects, Programs, Subjects * Issues (Issues and/or projects will vary over time - e.g. Hotels, Developments, Inc.)	When no Longer Required - Minimum 2 years		When no Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			GC §34090
CM-003	City Manager	City Manager Correspondence (Interoffice, Citizens, Legislative Positions, Organizations, Etc.)	When no Longer Required - Minimum 2 years		When no Longer Required - Minimum 2 years		Mag, Ppr			GC §34090
CM-004	City Manager	Department Files	When no Longer Required - Minimum 2 years		When no Longer Required - Minimum 2 years		Mag, Ppr			Department Preference: GC §34090
CM-005	City Manager	Economic Development Projects	When no Longer Required - Minimum 2 years		When no Longer Required - Minimum 2 years		Mag, Ppr			GC §34090
CM-006	City Manager	Speech Notes / PowerPoint Presentations	When no Longer Required - Minimum 2 years		When no Longer Required - Minimum 2 years		Mag, Ppr			Notes, Drafts, or Preliminary documents; GC §34090 et seq.

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COMMUNITY SERVICES										
CS-001	CS	Activity / Special Programs / Special Event Files & Reports Children's Programs, Cultural Arts, Sports, Seniors, Filming, Theatre Programs etc.	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr			Department preference; GC §34090
CS-002	CS	Contracts: Class Instructors Includes Insurance Certificates and Administration Records	Completion	5 years	Completion + 5 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/I	Yes: Upon Completion	Department preference; Statute of Limitations: Contracts & Spec's=4 years; CCP §337 et. seq., GC §34090
CS-003	CS	Evaluations/Surveys (Program Evaluations)	When No Longer Required		When No Longer Required		Mag, Ppr			Department Preference (Transitory record not retained in the ordinary course of business); GC §34090
CS-004	CS	Facility Use Rental Contracts / Field Use Contracts	2 years		2 years	Yes: Before Event	Mag, Ppr			GC §34090
CS-005	Lead Dept.	Operations & Maintenance Manuals (O&M Manuals)	Life of Facility or Equipment		Life of Facility or Equipment		Mag, Ppr			Department Preference; GC §34090 et. seq.
CS-006	CS	Park & Recreation Facility History Files	P		P		Mag, Mfr, OD, Ppr	S/I	No	Department preference; GC §34090
CS-007	CS	Recreation Database	Indefinite		Indefinite		Mag			Department Preference; data is interrelated; GC §34090
CS-008	CS	Registration Forms / Reservation Forms / Day Camps & Classes / Application Forms / Fee & Charge / Liability Forms / Release of Liability Forms / Permissions / etc.: Camps, Field Trips, Authorization to give Medicine, etc.	2 years		2 years		Ppr			GC §34090
CS-009	CS	Special Event Permits & Programs	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Ppr			Department preference; GC §34090
CS-010	CS	Waivers of Liability	2 years		2 years		Mag, Ppr			GC §34090

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DEVELOPMENT SERVICES DEPARTMENT - ENGINEERING DIVISION										
ENG 001	DSD/ENG	Abandonments/Vacations (Streets)/Survey File (City Clerk is the Office of Record for all Recorded Documents)	2 Years	P	P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; Finals are maintained by City Clerk Department file may include correspondence: GC §34090 et seq.
ENG 002	DSD/ENG	Aerial Maps/ Photographs - Analog or Digital & Index to Aerials	2 Years	P	P		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference; GC §34090 et seq.
ENG 003	DSD/ENG	Assessment District/Community Facilities Districts/ Maintenance Distric/Landscape & Lighting /Street Improvement District Projects/ Underground Utility Districts (Formation, Boundaries, Engineer Reports, Maps)	2 Years	P	P	Yes (all until completed)	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference; Statute of Limitations is 4-10 years (for Errors & Omissions); CCP § 337.37:1 (a), 337.15, 343: GC §34090 et seq.
ENG 004	DSD/ENG	Benchmarks	2 Years	P	P		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference; GC §34090 et seq.
ENG 005	DSD/ENG	Capital Improvement Projects (CIP) Maintenance Projects (All Records)	Upon Completion	1 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes, Until Completed	Mag, Ppr			Some Grant Funding Agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards = 4-7 years; Statute of Limitations; Contracts & Spec's = 4 years, Wrongful Death = comp. + 5 years, Developers = comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP § 337 et seq., GC § 34090
ENG 006	DSD/ENG	Capital Improvement Projects (CIP)Infrastructure Modifications - Administration File - Project Administration, Certified Payrolls, Construction Manager's Logs, Daily Inspections, Project Schedules, Progress Meetings, Punch Lists, Real Estate Appraisals, RFIs & Responses; etc.	Upon Completion	1 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes (Until Completed)	Mag, Ppr			Some Grant Funding Agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards = 4-7 years; Statute of Limitations; Contracts & Spec's = 4 years, Wrongful Death = comp. + 5 years, Developers = comp. + 10 years; Statewide Guidelines propose termination + 5 years; CCP § 337 et seq., GC §34090
ENG 007	DSD/ENG	Capital Improvement Projects (CIP)Infrastructure Modifications - PermanentFile - Plans, Specifications & Addenda, Agreement/Contract, Successful Proposal, Change Orders, EIRs, Negative Declarations, Categorical Exdemptions, Operations & Maintenance Manuals (O&M Manuals), Materials Testing Reports, Grading Permits, Hazardous Materials Plans, Notice of Completion, Photos, Soils Reports, Studies, Submittals, Surveys, Water Quality Technical Reports, etc.	Upon Completion	P	P	Yes, Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: Completion + 10 Years	Department Preference; Retained for Disaster Preparedness Purposes; Statewide Guidelines Propose Permanent for Infrastructure Plans; GC §34090

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ENG 007	DSD/ENG	Capital Improvement Projects (CIP)Infrastructure Modifications - PermanentFile - Plans, Specifications & Addenda, Agreement/Contract, Successful Proposal, Change Orders, EIRs, Negative Declarations, Categorical Exdemptions, Operations & Maintenance Manuals (O&M Manuals), Materials Testing Reports, Grading Permits, Hazardous Materials Plans, Notice of Completion, Photos, Soils Reports, Studies, Submittals, Surveys, Water Quality Technical Reports, etc.	Upon Completion	P	P	Yes, Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: Completion + 10 Years	Department Preference; Retained for Disaster Preparedness Purposes; Statewide Guidelines Propose Permanent for Infrastructure Plans; GC §34090	
ENG 007	DSD/ENG	Capital Improvement Projects (CIP)Infrastructure Modifications - PermanentFile - Plans, Specifications & Addenda, Agreement/Contract, Successful Proposal, Change Orders, EIRs, Negative Declarations, Categorical Exdemptions, Operations & Maintenance Manuals (O&M Manuals), Materials Testing Reports, Grading Permits, Hazardous Materials Plans, Notice of Completion, Photos, Soils Reports, Studies, Submittals, Surveys, Water Quality Technical Reports, etc.	Upon Completion	P	P	Yes, Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: Completion + 10 Years	Department Preference; Retained for Disaster Preparedness Purposes; Statewide Guidelines Propose Permanent for Infrastructure Plans; GC §34090	
ENG 008	DSD/ENG	Correspondence - Regularatory Agencies	Minimum 2 years		Minimum 2 years	Yes, While Active Issues	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference: Finals are Maintained by the City Clerk; Department File may Include Correspondence; GC §34090 et seq.	
ENG 009	DSD/ENG	Deeds, Easements, Liens, Permanent Encroachments;EMRA (Encroachment Management Removal Agreement) (City Clerk is the Office of Record for all Recorded Documents)	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference: Finals are Maintained by the City Clerk; Department File may Include Correspondence; GC §34090 et seq.	
ENG 010	DSD/ENG	Design and Construction Standards	P		P		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference: GC §34090 et seq.	
ENG 011	DSD/ENG	Drawings, Maps, Plans and Record Drawings, Large-Format Drawings, Survey Record Map, Capital Improvement Projects "As-Built"	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Drafts should be destroyed; some maps are also retained by Planning; Selected Maps are retained in Public Works for administrative purposes; GC §34090, 34090.7	
ENG 012	DSD/ENG	Encroachment Permits, ALLL (Street Permits, Temporary Construction, Sidewalk Repairs, Traffic Control, Utility Cuts, etc.) EMRAs are recorded and filed with the City Clerk	Expiration + 4 years		Expiration + 4 years	Yes, Until Completeion	Mag, Ppr			Covers Statute of Limitations for Contracts (4 years); Statewide guidelines propose Permanent; CCP § 337 et . SEQ; GC § 34090	
ENG 013	DSD/ENG	Engineering Studies/Surveys - Preliminary Studies/ Project Assessments (Not Acquired or Developed)	Minimum 10 years		Minimum 10 years		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference: GC §34090	
ENG 014	DSD/ENG	Engineering Studies / Surveys (City Built Projects)	P		P		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference: GC §34090	
ENG 015	DSD/ENG	Geotechnical and Soils Reports; Hydrology Reports (Authored by the City or their Contractors)	P		P		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	Department Preference: GC §34090	

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ENG 016	DSD/ENG	Grading Plans	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference: GC §34090
ENG 017	DSD/ENG	Plan Checks for Building Permits	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts; GC §34090 et seq.
ENG 018	DSD/ENG	Private Land Developer Trust Accounts/ Deposits	Close + 5 years		Close + 5 years		Mag, Ppr			Department Preference: Meets Municipal Government Auditing Standards: GC §34090
ENG 019	DSD/ENG	Private Land Development Bonds; Subdivision Bonds/Letters of Credit	Release of Bond/Letter of Credit	P	Release of Bond/Letter of Credit		Mag, Mfr, OD, Ppr	S	Ne-Originals are scanned and placed in paper file for perm storage	Securities (Performance Bonds, Letters of Credit, CDs etc.) are released after the Notice of Completion is issued and replaced with the Warranty Bond, which is released 1 year after the Notice of Completion date GC §34090 If Image - Create a Project File in ECM including all documents for project
ENG 020	DSD/ENG	Private Land Development Projects / Job Files: Administration File Examples: CUPs, Lot Line Adjustments, Parcel Maps, Precise Alignment, Specific Plans, Split Lots, Subdivisions, Tracts, TPMs, TSMs	Upon Completion	10 years	Completion + 10 years	Yes, Until Completed	Mag, Ppr			Statute of Limitations for Errors and Omissions is 10 years; Published Audit Standards = 4-7 years; Statute of Limitations; Contracts & Spec's = 4 years, Wrongful Death = comp + 5 years; Developers = Completion + 10 years, Statewide Guidelines propose Termination + 5 years; CCP §337 et. seq., GC §34090

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FINANCE DEPARTMENT										
FN-001	FIN	Audit Reports / CAFR - Comprehensive Annual Financial Reports and related Audit Opinions	2 years		P		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference (copies); GC §34090.7
FN-002	FIN	Audit Work Papers	2 years	3 years	5 years	Yes: Until Paid	Mag, Ppr			Department Preference (meets municipal government auditing standards); Statewide guidelines propose audit + 4 years; Published articles show 3 - 7 years; GC §34090
FN-003	FIN	Budgets - Adjustments	5 years		5 years	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department preference (Approved by the City Council); GC §34090 et seq.
FN-004	FIN	Budgets - Adopted / Final	2 years	P	P	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference; Must be filed with County Auditor; GC §34090.7, 40802, 53901
FN-005	FIN	Budgets - Preliminary, Backup Documents	When No Longer Required		When No Longer Required	Yes: Current Fiscal Year	Mag, Ppr			Preliminary drafts; GC §34090
FN-006	FIN	Single Audits / Transportation Audits / PERS Audit, etc.	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference (meets municipal government auditing standards); GC §34090
FN-007	FIN	1099's / 1096's Issued / W-9s	5 years		5 years		Mag, Ppr			Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; IRS Reg §31.6001-1(e)(2), R&T §19530, GC §34090
FN-008	FIN	Accounts Payable / Invoices and Backup (Includes Invoices, Travel Expense Reimbursements, Warrant Request, etc.)	2 years	3 years	5 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference (meets municipal government auditing standards); Statewide guidelines propose audit + 4 years; Published articles show 3 - 7 years; GC §34090
FN-009	FIN	Actuarial Valuation Reports	10 years		10 years		Mag, Ppr			Department Preference; GC §34090
FN-010	FIN	Bank Statements and Trustee Statements, Fiscal Agent Statements, Investment Account Statements, Bank Reconciliations, Bank Deposits, Bank Transmittal Advice	2 years	3 years	5 years		Mag, Ppr			Department Preference; Published articles show 3 - 4 years; GC §34090, 26 CFR 31.6001-1
FN-011	FIN	Bond Official Statements / Transcripts / Certificates of Participations (COPs) - Includes Continuing Disclosure Reports See Bank Statements for statement retention.	Fully Defeased	10 years	Fully Defeased + 10 years	Yes: Until Maturity	Mag, Ppr			Department Preference; Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds; CCP §§336 et al. 337.5(a); GC §43900 et seq. 26 CFR 1.60011(e)
FN-012	FIN	Cash Receipts / Daily Cash Summaries / Cashiers Reports / Cash Reports / Business License Applications & Renewals	2 years	3 years	5 years		Mag, Ppr			Department Preference; Published articles show 3 - 4 years; GC §34090, 26 CFR 31.6001-1
FN-013	FIN	Checks / Warrants (Cashed)	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; meets municipal government auditing standards; GC §34090, CCP § 337
FN-014	FIN	Escheat (Unclaimed money / uncashed checks)	5 years		5 years		Mag, Ppr			Department preference; All tangible property held by government agencies escheats after 3 years; Statute of Limitations is 1 year for seized property; CCP §§340(d), 1519; GC §34090
FN-015	FIN	Financial Services Database	Indefinite		Indefinite	Yes				Data Fields / Records are interrelated; GC §34090
FN-016	FIN	Investment Reports / Treasurer's Reports	5 years		5 years		Mag, Ppr			Department Preference; Meets auditing standards; GC §34090

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FN-017	FIN	Investments / Arbitrage / Certificate of Deposit / Investment Bonds (Receipts / Advisor Reports / Trade Tickets / LAIF (Local Agency Investment Fund))	5 years		5 years	Yes: Until Paid	Mag, Ppr			Department Preference; Meets auditing standards; Published articles show disposal + 7 years for security brokerage slips; statewide guidelines propose permanent; FTC Reg's rely on "self-enforcement"; GC§§ 34090, 43900
FN-018	FIN	Journal Entries / Journal Vouchers	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	No	Department Preference; meets municipal government auditing standards; Statute of Limitations is 4 years; statewide guidelines propose Audit + 5 years; GC §34090, CCP § 337
FN-019	FIN	Reports, General Ledgers, Subsidiary Ledgers, Reconciliations, Registers, Transaction Histories, Balance Sheets, Revenue & Expenditure Reports, etc. (MONTHLY OR PERIODIC)	When No Longer Required		When No Longer Required		Mag, Ppr			Department preference (Financial System qualifies as a trusted system); GC §34090
FN-020	FIN	Reports: Annual State or Federal: State Controller's Report, Local Government Compensation Report, Gas Tax, MOE (Maintenance of Effort) Report, Fixed Charge Special Assessment Report, Public Self Insurer Report (SIP Report), Street Report, etc.	5 years		5 years		Mag, Ppr			Department Preference; Meets auditing standards; GC §34090
FN-021	FIN	Accounts Receivable - ALL - Transient Occupancy Tax (TOT) Applications & Returns, Damage to Public Property, Invoices to Outside Entities, etc.	2 years	3 years	5 years		Mag, Ppr			Department preference; Meets auditing standards; GC §34090 et seq.
FN-022	FIN	Bankruptcies - NOT pursued	When No Longer Required		When No Longer Required		Mag, Ppr			Preliminary drafts not retained in the ordinary course of business; GC §34090
FN-023	FIN	Bankruptcies - Where a claim is filed	2 years	3 years	5 years		Mag, Ppr			Department Preference (negative information remains on credit ratings for 7 years); GC §34090
FN-024	FIN	Business License Applications (Originals with Planning and Fire Department Approvals)	2 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preference; contains Zoning approvals; GC §34090 et seq.
FN-025	FIN	Business License Database	Indefinite		Indefinite	Yes				Data Fields / Records are interrelated; GC §34090
FN-026	FIN	Business License Renewals	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S		Department preference; Meets auditing standards; GC §34090 et seq.
FN-027	FIN	Collections / Collection Agency Statements	7 years		7 years		Mag, Ppr			Department preference; Delinquencies remain on credit reports for 7 years; GC §34090 et seq.
FN-028	FIN	Dog Licenses (can be up to a 3 year license)	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S		Department preference; Meets auditing standards; GC §34090 et seq.
FN-029	FIN	Entertainers Permits	2 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preference; GC §34090 et seq.
FN-030	FIN	Parking Citations	2 years		2 years		Mag, Ppr			GC §34090 et seq.
FN-031	FIN	CalPERS Reports - Annual Valuation Reports, Actuarial Valuation Reports	2 years	3 years	5 years		Mag, Ppr			Department Preference; Retained to match other auditing periods; GC §34090

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Redline/Changes**

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RECORDS RETENTION SCHEDULE										
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								Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
FN-032	FIN	DE-6, DE-7, DE-9, DE-43, W-3, & DE-166, 941 Forms, IRS 5500 Forms (Employee Benefit Plans), PERS / FICA & Medicare Adjustments - Quarterly Payroll Tax Returns / OASDI, Federal Tax Deposits, Adjustments, etc.	2 years	3 5 years	5 7 years		Mag, Ppr			Department Preference; IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; 26 CFR §31.6001-1(e)(2), R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §34090; FLSA (Fair Labor Standards Act), Cal. Unemployment Insurance Code Section 1085, 22 CCR sec. 1085-2
FN-033	FIN	Payroll Reports - Annual Detail	2 years	3 years	5 years		Mag, Ppr			Department preference; GC §34090
FN-034	FIN	Payroll Reports - Periodic (includes Deduction Registers, Leave Registers, Time Transaction Reports, etc.)	2 years	3 years	5 years		Mag, Ppr			Department preference; GC §34090
FN-035	FIN	W-2's	2 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference for PERS Buy-back purposes; IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; IRS Reg §31.6001-1(e)(2), R&T §19530; 29CFR 516.5 - 516.6, 29USC 436, GC §34090
FN-036	FIN	W-4's	4 years after tax year		4 years after tax year		Mag, Ppr			IRS 31.6001.1; GC § 34090
FN-037	FIN	Emergency Event - Financial Assistance - (Disaster Incidents, OES Mutual Aid Reimbursements, FEMA, and CalEMA)	Reimbursement	7 years	Reimbursement + 7 years		Mag, Ppr, OD	S	Yes: After QC & OD	GC §34090; CalEma, Homeland Security Requirement per letter dated 8/24/2011 to grantees

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FIRE DEPARTMENT										
FR-001	FIRE	Apparatus & Equipment Records & Testing	Disposal	2 years	Disposal + 2 years		Mag, Ppr			Department Preference; Statute of Limitations for Health Providers is 3 years; OSHA requires 1 year; State requires 2 years; Statewide guidelines propose 2 years; 8 Cal Code Reg. §3203(b)(1), CCP §340.5, GC §34090
FR-002	FIRE	Employee Background File / Pre-employment physicals / Applications - UNSUCCESSFUL, NON-SELECTS, DISQUALIFIED	3 years		3 years		Mag, Ppr			Department preference; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 7287.0(c)(2), 8 CCR §11040.7(c), GC §§12946, 34090
FR-003	FIRE	Fire Incident Reports	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr			Preliminary drafts; Original reports / data is in RMS database; GC §34090 et seq.
FR-004	FIRE	Fire Incident RMS Database (Firehouse)	Indefinite		Indefinite		Mag			Data is interrelated; GC §34090 et seq.
FR-005	FIRE	ISO Insurance Ratings	15 years		15 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC	Department Preference (rated every 10 years); GC §34090
FR-006	FIRE	Monthly Statistical Report / Run Statistics	When No Longer Required		When No Longer Required		Mag, Ppr			Considered a preliminary draft / copy (the Fire database is the original); GC §34090 et seq.
FR-007	CC	Mutual Aid Agreements, Joint Power Authorities / Heartland Fire Agreements	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr			Originals Maintained by City Clerk or County Clerk of the Board Permanently; GC §34090.7
FR-008	FIRE	Programs and Projects (e.g. Cadet, CPR Program, Fire Service Day, etc.)	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC § 34090 et seq.
FR-009	FIRE	Subpoenas (all Fire Dept.) / Discovery Requests / Personal Appearance / Duces Tecum	2 years		2 years		Mag, Ppr			GC §34090
FR-010	FIRE	EMS Complaints / CQI (Continuous Quality Improvement) / Quality Assurance	3 years		3 years		Mag, Ppr			Statute of Limitations for health providers is 3 years; 13 CCR 1100.7, UFC §104.3.2, §104.3.4, GC §34090
FR-011	FIRE	HIPAA Policies and Procedures (Health Insurance Portability and Accountability Act)	Superseded	6 years	Superseded + 6 years		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	24 CFR 164.530(j)
FR-012	FIRE	Patient Care Reports / PCRs / Paramedic Release Forms (EMS transportation): ALL (medical and non-medical.) When Field Saver is contracted to maintain PCRs	Contracted with Field Saver		Contracted with Field Saver		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	
FR-013	FIRE	Patient Care Reports / PCRs / Paramedic Release Forms (EMS transportation): ALL (medical and non-medical.) PRIOR to Contracting with Field Saver	3 years	17 years	20 years		Mag, Mfr, OD, Ppr	S	Yes: After 1 year	Department Preference; 10 years is recommended by AHIMA for "healthcare providers"; California Healthcare Association recommends Acute Care Facilities retain adult records for ten years following discharge; Juvenile records are required until patient becomes 18 years old; law requires 7 years for clinics, health facilities, hospitals, adult day health care centers, and in-home skilled nursing services, and is actually based upon "if the licensee ceases operations"; Statute of Limitations for health providers is 3 years; Federal law requires 3 years, statewide guidelines propose 3 years; HIPAA provides privacy regulations for patient's health records; 13 CCR 1100.7, CCP §340.5, GC §34090, 60201 et seq.; H&S §123145
FR-014	FIRE	Citizen's Emergency Response Training (CERT) / Neighborhood Training Course Records, Roster, etc.	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: When Superseded	Department Preference; GC §34090; CFC 103.3.4
FR-015	FIRE	Emergency Plans / Disaster Preparedness Manuals, etc.	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Mfr, OD, Ppr	S / I	Yes: After Superseded	Department Preference (copies); GC §34090.7

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FR-016	FIRE	Fire Code Permits / Special Event Permits / Fire Works Permits / Explosives Permits (assembly permits, candle permits, tent permits, fire hydrant use, open flame, etc.)	5 years		5 years		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	CFC §§ 104.6 – 104.6.4, GC §34090
FR-017	FIRE	Fire Inspections / Business Inspection Files / Citations / Notice of Violations	When No Longer Required	Minimum 5 years	When No Longer Required - Minimum 5 years		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & OD	California Fire Code requires 5 years; Allows the removal and purging of these records in the event the address file is too large; CFC §§ 104.6 – 104.6.4, GC §34090
FR-018	FIRE	Fire Investigations - Arson & Capital Crimes Only	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference (Capital Crimes have no statute of limitations); GC §34090 et seq.
FR-019	FIRE	Fire Investigations - OTHER Than Arson & Capital Crimes Only	5 years		5 years		Mag, Ppr			Department preference; GC §34090 et seq.
FR-020	FIRE	Juvenile Fire starter Program	10 years		10 years		Mag, Ppr			Department Preference; GC §34090
FR-021	FIRE	Pre-plan Sheets	Until Superseded		Until Superseded		Mag, Ppr			Preliminary drafts; GC §34090 et seq.
FR-022	FIRE	Public Information / Education (when produced internally)	When No Longer Required	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090
FR-023	BLDG	Record Drawings ("As-Built") and CAD drawings of buildings	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr			GC §34090.7

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FR-024	FIRE	Weed Abatement	When No Longer Required—Minimum 2 years Closed	7 years due to tax roll audits	When No Longer Required—Minimum 2 years Closed + 7 years due to tax roll audits		Mag, Ppr			Department Preference; GC §34090; CFC 103.3.4
FR-025	CC	Weed Abatement Liens	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr			GC §34090.7
FR-026	FIRE	Daily Roster (Telestaff Database)	Indefinite		Indefinite		Mag			Data is interrelated; GC §34090 et seq.
FR-027	FIRE	Station Log Books / Station Journals (Incidents - kept at Fire Stations)	2 years		2 years		Mag, Mfr, OD, Ppr	S/I	No	GC §34090
FR-028	Lead Dept.	Vehicle Safety Checks / Daily Vehicle Inspections / Daily Equipment Checks	2 years		2 years		Ppr			GC §34090
FR-029	FIRE	Prop 1B (Invoices, bills, draws, disbursement requests & claim schedules, acct. records, grant agreements, award letters, MOUs, Resolutions, Schedules of Facilities or Equipment being financed through reimbursement.)	35 years		35 years		Mag, Ppr, OD	S/I	No, must keep originals for audit	GC §34090; CalEma, Homeland Security Requirement per letter dated 8/24/2011 to grantees

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HOUSING DEPARTMENT										
HOU-001	DSD	Housing Loan Applications Rejected (First Time Home Buyers, Life/Safety, Rehabilitation, HOME, etc.)	2 years		2 years		Mag, Ppr			GC §34090
HOU-002	DSD	Housing Programs: Affordable Housing Projects, Rehabilitation, CDBG-funded Housing Projects, etc. WITH a Recapture / Resale Restriction Deeds are sent to City Clerk	5 years	After the Affordability Period Terminates, or the Written Agreement Terminates, Whichever is Longer	5 years or After the Affordability Period Terminates, or the Written Agreement Terminates, Whichever is Longer		Mag, Mfr, OD, Ppr	S / I	Yes: When Inactive	HUD requires 5 years after the project completion; documents imposing recapture / resale restrictions are 5 years after the affordability period terminates; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report; statewide guidelines propose 4 years; 24 CFR 85.42, 92.508(a)&(c) & 570.502(a)(16), 29 CFR 97.42, GC §34090
HOU-003	DSD	Housing Programs: Affordable Housing Projects, Rehabilitation, CDBG-funded Housing Projects, etc. WITHOUT a Recapture / Resale Restriction Deeds and Insurance are sent to City Clerk	Loan Pay-off OR Forgiveness	5 years	Loan Pay-off OR Forgiveness + 5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	HUD requires 5 years after the agreement terminates; Consistent with Consolidated Plan Requirements; Required for 3-4 years from expenditure or performance report; 24 CFR 85.42, 92.508(a)&(c) & 570.502(a)(16), 29 CFR 97.42, GC §34090

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HUMAN RESOURCES										
HR-001	HR	Benefit Plan Documents (CalPERS, Optical, Dental, etc.)	Duration of the Contract	6 years	Duration of the Contract + 6 years	Yes: For Duration of Contract	Mag, Ppr			EEOC / ADEA; Federal law requires 6 years after filing date for retirement; Employee Retirement Income Security Act of 1974 (ERISA); State Law requires 2 years after action; 29 CFR 1627.3(b)(2); 29 USC 1027; GC §§12946, 3409; Consolidated Omnibus Budget Reconciliation Act of 1985
HR-002	HR	CalPERS Benefit Administration (Includes contract amendment, actuarial reports, service credit reports, annual employee listing, etc.)	6 years		6 years		Mag, Ppr			Department Preference; 6 years for retirement benefits; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); 29 USC 1027; GC §§12946, 3409
HR-003	HR	CalPERS Reports - Annual Employer Statements	5 years		5 years		Mag, Ppr			Department Preference; Retained to match other auditing periods; GC §34090
HR-004	HR	Classification / Reorganization Studies (for employee classifications and department structures)	When No Longer Required	Minimum 3 years	When No Longer Required - Minimum 3 years		Mag, Ppr			Bureau of National Affairs recommends 2 years for all supplementary Personnel records; Wage rate tables are 1 or 2 years; State requires 2 years; 29 CFR 516.6, 29 CFR 1602.14, GC §§12946, 34090
HR-005	HR	Classification Specifications	When No Longer Required	Minimum 3 years	When No Longer Required - Minimum 3 years		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department preference; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; retirement benefits is 6 years from last action; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 34090; 29 USC 1113
HR-006	HR	Compensation Surveys & Studies	When No Longer Required	Minimum 3 years	When No Longer Required - Minimum 3 years		Mag, Ppr			Bureau of National Affairs recommends 2 years for all supplementary Personnel records; Wage rate tables are 1 or 2 years; State requires 2 years; 29 CFR 516.6(2), 29 CFR 1602.14, GC §§12946, 34090
HR-007	HR	Department of Fair Employment & Housing (DFEH or EEOC) Claims	Separation + 10 years	20 years	Separation + 30 years		Mag, Ppr			All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after "fully and finally disposed"; 2 CCR 7287.0; GC §§12946, 34090
HR-008	HR	DMV Pull Notices	When Superseded or Separated		When Superseded or Separated		Mag Ppr			Transitory or source records not retained in the ordinary course of business; CHP audits every 2 years; Bureau of National Affairs recommends 2 years for all supplementary Personnel records; GC §34090
HR-009	HR	Drug & Alcohol Test Results (All - Positives and Negatives)	5 years		5 years		Mag Ppr			D.O.T. Requires 5 years for positive tests, 1 year for negative tests; EEOC/FLSA/ADEA (Age) requires 3 years physical examinations; State Law requires 2 years; 29 CFR 1627.3(b)(1)(v), GC §§12946, 34090; 49 CFR 655.71 et seq.; 49 CFR 382.401 et seq. 49 CFR 653.71
HR-010	HR	I-9s	Separation + 10 years	20 years	Separation + 30 years		Mag, Ppr			Non-citizens must re-certify periodically; Required for 1 year from termination or 3 years from hiring, whichever is later; EEOC / FLSA / ADEA (Age) requires 3 years for "any other forms of employment inquiry"; State Law requires 2 -3 years; 8 CFR 274a.2; 29 CFR 1627.3(b)(i); GC §§12946, 34090; Immigration Reform and Control Act

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HR-011	HR	Labor Relations Files (Negotiation Notes, Correspondence, Interpretation of MOU Provisions, Documentation, etc.)	5 years	5 years	10 years		Mag, Ppr			Department Preference; GC §34090 - Final terms are adopted by Council Resolutions and become permanent record under Resolution retention.
HR-012	HR	OSHA Inspections & Citations, Log 200 and Log 300, 301, 301A	5 years		5 years					Calif. Labor Division is required to keep their records 7 years; OSHA requires 5 years; State law requires 2 years; 8 CCR §3203(b)(1), GC §34090.7; LC §6429c
HR-013	HR	Personnel Files - Employee / Benefit File Includes Application, Evaluations, Policies Oaths of Office, Transaction Forms, Benefit Enrollment Forms, etc.	Separation + 10 years	20 years	Separation + 30 years		Mag, Mfr, OD, Ppr	S	Yes: After Separation + 1 year	Department Preference; statute of limitations for retirement benefits is 6 years from last action; EEOC(Equal Employment Opportunity Commission)/ FLSA(Family Leave and Separation Act) / ADEA (Age Discrimination Employment Act) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 - 3 years; 29 CFR 1602.31 & 1627.3(b)(ii), GC §12946, 34090; 29 USC 1113; Title VII Civil Rights Act of 1964 (CRA), FEHA, ADA, GINA (Genetic Information Non-Discrimination Act), and California Fair Pay Act.
HR-014	HR	Personnel Files - <u>Medical</u> File (all employees) Pre-employment Clearances, FMLA, CFRA , ADA Accommodations, Incidents / Accidents where no medical services were provided, etc.	Separation + 10 years	20 years	Separation + 30 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: After Separation + 1 year	Department preference; Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., 29 CFR 1910.1020(d)(1)(i), GC §§12946, 34090
HR-015	HR	Pre-Employment Records: Recruitment, Hiring and Testing Placement Records: File (Includes Advertisements, Applications/ Resumes for Unsuccessful Candidates, Summaries of applicants' qualifications, list of job criteria, interview records, Job Brochures, Test Data, Testing Analysis & statistical Metric, Job Analysis, Rating Sheets, Scantrons, Rater's Profile & Confidentiality Agreement, Flowchart, Eligible Lists, interview panel notes, Employment Referral Records, Job Postings/Recruitment, Salary Information, Terms/Conditions of Employment, Job Offers submitted to Employment Agencies or Labor Unions, Work Permits for Minors.)	3 years		3 years		Mag, Ppr		No	Department preference; EEOC(Equal Employment Opportunity Commission)/ FLSA(Family Leave and Separation Act) / ADEA (Age Discrimination Employment Act) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1627.3(b)(i), 29 CFR 1602.14 et seq. 2 CCR 11013 (c); 7287.0(e)(2), GC §§12946, 34090, Title VII Civil Rights Act of 1964 (CRA), FEHA, ADA, GINA (Genetic Information Non-Discrimination Act), and California Fair Pay Act.
HR-016	HR	Studies & Surveys Conducted on Behalf of the City (Sick Leave, Attrition, Benefits, etc.)	When No Longer Required	Minimum 3 years	When No Longer Required - Minimum 3 years		Mag, Ppr			Department preference; GC §34090
HR-017	HR	Workers Compensation Claim Runs	5 years		5 years		Mag Ppr			Meets auditing standards; GC §34090
HR-018	HR	Workers Compensation Claims	Separation + 10 years	20 years or Termination of Benefits (whichever is longer)	Separation + 30 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: After Separation + 1 year	Department preference; Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1)(B)(2)& (3); 89 CCR 10102, 10755, 10758, 15400.2; 29 CFR 1910.1020(d)(1)(i), GC §§12946, 34090; OSHA, Cal/OSHA; OSHA 300 entries must be made within 7 calendar days of event.

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HR-019	Lead Dept.	Volunteer / Unpaid Intern Applications & Agreements - Successful	Inactive / Separation + 3 years		Inactive / Separation + 3 years					Department preference (Courts treat volunteers as employees); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; 29 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC §§12946, 34090
HR-020	Lead Dept.	Volunteer / Unpaid Intern Applications & Agreements - Unsuccessful or Pending Applicants	3 years		3 years					Department preference (Courts treat volunteers as employees); EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; 29 CFR 1602.31 & 1627.3(b)(1)(i)&(ii), GC §§12946, 34090
HR-021	HR	AB1234 - Ethics Training (Elected Officials) Includes Certification and Correspondence if non-compliant	5 years		5 years					GC §34090; GC §53235.2
HR-022	HR	Target Solutions - Data Base - Employee Training	Separation + 30 years		Separation + 30 years					GC §34090; Training meets ISO Standards

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DEVELOPMENT SERVICES DEPARTMENT										
	DSD/PL	Affidavits of Publications / Public Hearing Notices / Legal Advertising	2 5 years		2 5 years		Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months; CCP §§337 et seq, 349.4; GC §§34090, 54960.1(c)(1)
PL-002	DSD/PL	Annexations / Boundaries / Consolidations / LAFCO	5 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Land Records; GC §34090
PL-003	DSD/PL	Census, Demographics	When No Longer Required		When No Longer Required		Mag, Ppr			(Non-Records - Census Bureau is OFR)
PL-004	DSD/PL	Environmental Determinations: Environmental Impact Reports (EIRs), Negative Declarations, etc.) Inside City boundaries	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Usually filed in the project file; Final environmental determinations are required to be kept a "reasonable period of time"; 14 CCR §15095(c); GC §34090
PL-005	DSD/PL	Environmental Determinations: Environmental Impact Reports (EIRs), Negative Declarations, etc.) Outside City boundaries	When No Longer Required		When No Longer Required					Non-records; EIRs and Negative Declarations within the City Boundaries are with the project file
PL-006	CC	General Plan, Elements and Amendments	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	City Clerk Maintains all Agenda Packets Permanently; GC §34090.7
PL-007	DSD/PL	Master Plans, Specific Plans, Bikeway Plans, Landscaping Plans, Street Master Plans, etc.	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §34090
PL-008	DSD/PL	Planning Commission AGENDAS	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Original Staff Reports are filed in the project file; Brown Act challenges must be filed within 30 or 90 days of action; GC §§34090, 54960.1(c)(1)
PL-009	DSD/PL	Planning Commission AUDIO RECORDINGS of Meetings / Audio Tapes	10 years		10 years					City preference; State law only requires for 30 days; GC §54953.5(b)
PL-010	DSD/PL	Planning Commission MINUTES, RESOLUTIONS & BYLAWS	P		P	Yes	Mag, Mfr, OD, Ppr	S	No	GC §34090
PL-011	DSD/PL	Planning Project Files - Permanent Entitlements (Includes Associated CEQA Noticing, Conditions of Approval, Public Noticing, Environmental Determinations, Staff Reports, Plans & Maps) Examples: Conditional Use Permits (CUPs), Design Review, Lot Line Adjustments, Parcel Maps, Planned Unit Developments (PUD), Site Plans, Tentative Subdivisions, Variances, Zone Changes, etc.	5 years	P	P	Yes	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preferences; Final environmental determinations are required to be kept a "reasonable period of time"; 14 CCR §15095(c); GC §§34090, 34090.7
PL-012	DSD/PL	Pre-Application Review / Preliminary Review File / Letters	5 years	P	P		Mag, Ppr			Department preference; Preliminary Documents (no application submitted); GC §34090
PL-013	DSD/PL	Private Land Developer Trust Accounts / Deposits	Close + 5 years		Close + 5 years		Mag, Ppr			Department Preference; (meets municipal government auditing standards); GC §34090
PL-014	DSD/PL	Project Log Index / Spreadsheet / Binders of Historic Actions	P		P	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference; GC §34090

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Amended:		Justification/Reference
								Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
PL-015	DSD/PL	Special Studies	When No Longer Required - Minimum 2 years	Minimum 2 years	When No Longer Required - Minimum 2 years		Mag, Ppr			Department Preference; GC §34090
PL-016	DSD/PL	Temporary Entitlements (Approved & Unapproved): Christmas Tree Lots, Banner Permits, Pumpkin Lots, Temporary Signs, etc.	2 years		2 years	Yes: During Event	Mag, Ppr			Temporary uses; Department maintains complete files for administrative purposes; GC§§34090
PL-017	DSD/PL	Zoning Maps (Historically Significant)	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Department Preference; City Clerk Maintains originals of all documents that were presented to Council; GC §34090.7
PL-018	DSD/PL	Zoning Ordinance Amendments, Reclassifications / Zone Change	P		P	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference (copies); GC §34090.7
PL-019	DSD/PL	Sign Permits, Temporary (Banners and Temp Signs)	2 years		Term + 2 years after expiration					GC §34090
PL-020	DSD/PL	Comprehensive Sign Program Permits	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference: GC §34090, Historical Value
PL-021	DSD/PL	Expired, Withdrawn, Voided, or Abandoned Building Plan Permits, Plan Review and Applications	2 years		2 years from Expiration Date					GC §34090
PL-022	DSD/PL	Expired, Withdrawn, Voided, or Abandoned Planning Plan Permits, Plan Review and Applications	2 years		2 years from Expiration Date					GC §34090
DEVELOPMENT SERVICES DEPARTMENT - STORMWATER DIVISION										
STM-001	Lead Dept.	Correspondence - Regulatory Agencies	Minimum 2 years		Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Department Preference; Some correspondence from Regulatory Agencies need to be retained for long periods of time; GC §34090
STM-002	DSD	NPDES Monitoring, Inspections, Audits, Corrective Actions, Violations - Stormwater	Minimum 3 years		Minimum 3 years		Mag, Ppr			Department Preference; Monitoring records required for 3 years; 40 CFR §§122.21, 122.41; CCP §337 et seq.
STM-003	DSD	NPDES Permits - Stormwater	Superseded	3 years	Superseded + 3 years	Yes: Until Expiration	Mag, Ppr			Department Preference; Monitoring records required for 3 years; 40 CFR §§122.21, 122.41; CCP §337 et seq.

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Amended:										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Justification/Reference
PUBLIC WORKS										
PW-001	DSD/ENG/PW	Capital Improvement Projects (CIP) Infrastructure Modifications - <u>Administration File</u> Project Administration, Certified Payrolls, Construction Manager's Logs, Daily Inspections, Project Schedules, Progress meetings, Punch Lists, Real Estate Appraisals, RFIs & Responses, etc.	Upon Completion	1 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Until Completed	Mag, Ppr			Some grant funding agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090
PW-002	DSD/ENG/PW	Capital Improvement Projects (CIP): Infrastructure Modifications - <u>Permanent File</u> Plans, Specifications & Addenda, Agreement / Contract, Successful Proposal, Change Orders, EIRs, Negative Declarations, Categorical Exemptions, Operations & Maintenance Manuals (O&M Manuals,) Materials Testing Reports, Grading Permits, Hazardous Materials Plans, Notice of Completion, Photos, Soils Reports, Studies, Submittals, Surveys, Water Quality Technical Reports, etc.	Upon Completion	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S/I	Yes: Complet. + 10 years	Department preference; retained for disaster preparedness purposes; Statewide guidelines propose Permanent for Infrastructure plans; GC §34090
PW-003	DSD/ENG/PW	Capital Improvement Projects (CIP): <u>Maintenance Projects (All Records)</u>	Upon Completion	1 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Until Completed	Mag, Ppr			Some grant funding agencies require audits; Statute of Limitations for Errors & Omissions is 10 years; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; Statewide guidelines propose termination + 5 years; CCP §337 et. seq., GC §34090
PW-004	PW	Community Outreach / Notification of Projects	2 years		2 years		Mag, Ppr			GC §34090
PW-005	PW	Complaints	2 years		2 years		Mag, Ppr			GC §34090
PW-006	PW	Confined Space Entries	3 years		3 years		Mag, Ppr			Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2)
PW-007	Lead Dept.	Correspondence - Regulatory Agencies	Minimum 2 years		Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Department Preference; Some correspondence from Regulatory Agencies need to be retained for long periods of time; GC §34090
PW-008	PW	Equipment History Files (See Fleet for Vehicles)	Disposal of Equipment + 2 years		Disposal of Equipment + 2 years		Mag, Ppr			Department Preference; GC §34090
PW-009	PW	Hazardous Waste Manifests / Certificates of Disposal	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference (test results for hazardous waste generators are required for 3 years); 40 CFR 262.40, 8 CCR 3204(d)(1)(A), 22 CCR
PW-010	Lead Dept.	Operations & Maintenance Manuals (O&M Manuals)	Life of Facility or Equipment		Life of Facility or Equipment		Mag, Ppr			Department Preference; GC §34090 et. seq.
PW-011	PW	Playground Inspections	2 years		2 years		Ppr			GC §34090
PW-012	Lead Dept.	Pre-Trip Inspections / DOT Program / CHP Inspections / Vehicle Safety Checks / Daily Vehicle Inspections / Daily Equipment Checks	2 years		2 years		Ppr			GC §34090; 3 CCR 1234(3)

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Amended:		Justification/Reference
								Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
PW-013	Lead Dept.	Underground Service Alerts (USA's)	3 years		3 years		Mag, Ppr			Department Preference (required for 3 years); GC §§4216.2(d) & 4216.3(d), 34090
PW-014	PW	Vehicle & Equipment History Files Maintenance, Smog Certificates, Registrations	Disposal of Vehicle or Equipment + 2 years		Disposal of Vehicle or Equipment + 2 years		Mag, Ppr			Department Preference; If a motor carrier, required for 18 months after vehicle is sold; CHP requires life of vehicle; OSHA requires 1 year; 8 CCR § 3203(b)(1); 49 CFR 396.21(b)(1); 49 CFR 396.3(c); CCP §337 et. seq., 3 CCR 1234(f); GC §34090
PW-015	PW	Work Orders / Service Requests CMMS DATABASE (Computerized Maintenance Management System)	Indefinite		Indefinite		Mag			Data is interrelated; GC §34090
PW-016	PW	Work Orders / Service Requests - All Information Entered in CMMS Database (Paper drafts)	When No Longer Required		When No Longer Required		Mag Ppr			Preliminary drafts (the database is the original); GC §34090
PW-017	PW	Work Orders / Service Requests - NOT entered in CMMS Database (or partial information entered into CMMS Database) (Division providing service retains originals; Division requesting service is considered a copy)	5 years		5 years		Mag, Ppr			City Preference; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §34090
PW-018	PW	Household Hazardous Waste (Includes RSWA)	30 years Minimum		30 years Minimum		Mag, Ppr, OD	S	Yes: After QC & OD	GC §34090; 40 CFR 262.40; 8 CCR 3204(d)(1)(a); 22 CCR 66262.40
PW-019	PW	Dig Alerts	2 years		2 years		Mag, Ppr, OD			GC §34090

**2019 Update
Records Retention Schedule
Redline/Changes**

CITY OF LEMON GROVE										
RECORDS RETENTION SCHEDULE										
Retention No.	Office of Record (OFR)	Records Description	Active (in office)	Inactive (Records Center)	Total Retention	Vital?	Media Options	Amended:		Justification/Reference
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RISK MANAGEMENT										
RM-001	PW & RISK	Accident Reports / Incident Reports - PUBLIC	Closed	2 years	Closed + 2 years		Ppr			GC §34090 (d) per statewide guidelines
RM-002	PW & RISK	Claims (Liability Claims)	Final Resolution	5 years	Final Resolution + 5 years	Yes: Until Resolution	Mag, Ppr			Department Preference; Covers various statute of limitations; CCP §§ 337 et seq.; GC §§ 911.2, 945.6, 34090, 34090.6; PC §832.5
RM-003	PW & RISK	Insurance Policy Applications / Insurance Policies (City-owned)	2 -3 years		2 -3 years	Yes: Until Resolution	Mag, Mfr, Ppr	S / I	Yes: After 30 days	Department preference; GC §34090 (d)
RM-004	CA	Lawsuits / Litigation	Fully Resolved	5 years	Fully Resolved + 5 years	Yes: Until Resolution	Mag, Ppr			Department Preference; Covers various statute of limitations; CCP §§ 337 et seq.; GC §§ 911.2, 945.6, 34090, 34090.6; PC §832.5
RM-005	PW & RISK	Loss Runs	When No Longer Required		When No Longer Required		Mag Ppr			Department Preference (the Claims Management System is the original); GC §34090
RM-006	PW & RISK	Safety Inspections	5 years		5 years		Ppr			Department preference (Meets OSHA requirements); GC §34090



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.E

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: Public Works Department

Staff Contact: Mike James, Assistant City Manager

mjames@lemongrove.ca.gov

Item Title: **Sale of Lease for Cellular Communications Facility at 2674 ½
Massachusetts Avenue**

Recommended Action: That the City Council adopts a resolution (Attachment A) approving the sale of the existing lease for the cellular communications facility located at 2674 ½ Massachusetts Avenue.

Summary: As a part of the annual goals established by the City Council, staff was directed to research methods to generate additional revenue for the City. On March 19, 2019, staff presented an option to generate a one-time revenue payment in exchange for the monthly lease payments of a cellular communications facility. Staff completed the negotiation process for the sale of the existing lease for the cellular communications facility located at 2674 ½ Massachusetts Avenue.

Discussion: In June 2007, the City Council approved a cellular communications facility agreement in the public right of way. That agreement authorized T-Mobile to attach, install, erect, operate and maintain an unmanned wireless telecommunications facility in the public right of way to provide wireless communications services. That facility was co-located with the traffic signal pole located at 2674 ½ Massachusetts Avenue, or the southwest corner of Massachusetts Avenue and San Miguel Avenue. In exchange for the agreement, the City has received monthly lease payments. As of June 2019, the monthly payments equaled \$1,384.

Beginning in Fiscal Year 2018-19, staff worked with multiple brokers to determine if there was any interest in purchase the existing lease agreement in exchange for a one-time lump sum payment. Because the cellular equipment is located on a city owned traffic signal pole and located in the City's right of way, it created a unique scenario that very few

brokers expressed an interest in acquiring. However, one broker, Airwave Advisors, was able to find an assignee that was interested in this sale.

On March 19, 2019, staff presented a proposal from IWG-TLA Telecom to the City Council to purchase the lease agreement. Key points of the agreement (Attachment B) are summarized below:

- The purchase price is \$225,000,
- The broker fee is 6% of the sale price (\$13,500) and that is paid by the City,
- The assignee is responsible for marketing and hosting a telecommunication company on the facility,
- Term of the agreement is 600 months (50 years) from the effective date,
- The City may terminate the agreement if the assignee abandons the lease area,
- Both parties mutually indemnify each other,
- The assignee is responsible for all maintenance of the cellular facility, and
- The on-going maintenance responsibility shall remain with the assignee.

There are multiple benefits associated with approving the purchase agreement. First, it provides an immediate lump sum payment to the City. Second, it transfers to the assignee the responsibility to find a vendor should the current one no longer wish to lease the facility. Third, the ever-changing telecommunications market (e.g. 4G and 5G integration, small cellular sites) will no longer be a concern for the City to manage. The only drawback of approving the agreement is that the City will no longer receive a monthly revenue stream.

Based on the benefits and drawbacks, listed above, staff recommends that the City Council approve the purchase agreement.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | | Mitigated Negative Declaration

Fiscal Impact: If approved, the agreement will provide net revenue of \$211,500.

Public Notification: None.

Staff Recommendation: That the City Council adopts a resolution (Attachment A) approving the sale of the existing lease for the cellular communications facility located at 2674 ½ Massachusetts Avenue.

Attachments:

- Attachment A – Resolution
- Attachment B – Agreements (Purchase and Lease)

RESOLUTION NO. 2019 -

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE,
CALIFORNIA, APPROVING THE SALE OF THE EXISTING LEASE FOR THE
CELLULAR COMMUNICATIONS FACILITY LOCATED AT 2674 ½
MASSACHUSETTS AVENUE**

WHEREAS, In June 2007, the City Council approved a cellular communications facility agreement on a traffic signal pole located at 2674 ½ Massachusetts Avenue; and

WHEREAS, the City has received monthly lease payments and as of June 2019, the monthly payment equaled \$1384.00; and

WHEREAS, On March 19, 2019, staff presented an option to generate a one-time revenue payment in exchange for the monthly lease payments of the cellular communications facility; and

WHEREAS, On March 19, 2019, staff presented a proposal from IWG-TLA Telecom to the City Council to purchase the lease agreement; and

WHEREAS, the agreement will generate one-time net revenue of \$211,500 and shift the responsibility for marketing and hosting a telecommunication company on the facility and the on-going maintenance of the facility to the assignee for a lease term of 600 months (50 years) from the effective date.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby:

1. Accepts the terms of the agreements; and
2. Directs staff to deposit the net revenue of \$211,500.00 into the general fund; and
3. Appoints the City Manager or her designee to sign the agreement and manage all related correspondence/actions to facilitate the sale of the existing lease.

PASSED AND ADOPTED on _____, 2019, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Shelley Chapel, MMC, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney

PURCHASE AGREEMENT

This PURCHASE AGREEMENT (the "Agreement") is made as of _____, 2019 (the "Effective Date") by and between City of Lemon Grove, California, a municipal corporation, having an address at 3232 Main Street, Lemon Grove, CA 91945 ("Assignor"), and IWG-TLA Telecom, LLC, a Delaware limited liability company, having an address at 4640 Admiralty Way, Suite 1030, Marina del Rey, CA 90292 ("Assignee"), collectively as (the "Parties").

WHEREAS, Assignor owns certain real property described in the legal description attached as Exhibit A, and commonly known as 2674 ½ Massachusetts Ave (ROW of Massachusetts Ave & San Miguel Ave.), Lemon Grove, CA 91945 (the "Parent Parcel"); and

WHEREAS, Assignor has leased a portion of the Parent Parcel (the "Lease Area") to Tenant (as defined in Exhibit B-1) by use of a lease or license, a copy of which is attached as Exhibit B-2 (the "Lease"); and

WHEREAS, Assignor intends to sell, assign, set over, convey and transfer all of its beneficial interest in the Lease to Assignee pursuant to an Assignment of Lease Agreement (the "Assignment Agreement") to be executed in counterpart concurrently with this Agreement; and

ACCORDINGLY, for valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties hereby agree as follows:

1. **Purchase Price.** On the Effective Date, Assignee shall pay to Assignor Two Hundred Twenty-Five Thousand and 00/100 Dollars (\$225,000.00) (the "Purchase Price"). Assignor shall not be entitled to any other compensation, reimbursements or other payments under this Agreement or under any other documents executed in connection herewith.
2. **Assignment of Lease.** Assignor transfers to Assignee all of its beneficial right, title and interest in and to the Lease on the terms set forth in the Assignment Agreement. The assignment shall be for a term of 600 months, commencing on the Effective Date and terminating on _____, 2069 (the "Reversion Date").
3. **Lease Obligations.** Assignor shall fully, faithfully and timely perform all of the Lease obligations that Assignor is obligated to perform pursuant to the Lease and this Agreement. Assignor shall not: (i) suffer or permit any breach or default to occur; (ii) take any action for the purpose, or with the effect, of inducing or causing Tenant to exercise, or not to exercise, a right to renew or extend the Lease. After the Effective Date, Assignor will forward to Assignee within ten (10) business days of Assignor's receipt of any rent payment not withheld by Assignee on the settlement statement, by tracked overnight courier service. If Assignor fails or refuses to forward any such payment to Assignee, then Assignee shall be entitled to receive a processing fee equal to 10% of such payment, payable to Assignee by Assignor within five (5) business days of demand by Assignee. In the event Assignee receives a rent payment from Tenant which was withheld by Assignee on the settlement statement, Assignee shall forward such payment to Assignor within ten (10) business days of its receipt of such payment. If Assignee fails or refuses to forward any such payment to Assignor, then Assignor shall be entitled to receive a processing fee equal to 10% of such payment payable to Assignor by Assignee within five (5) business days of demand by Assignor.
4. **Cooperation by Assignor.** Upon Assignee's request, Assignor agrees to promptly furnish to Assignee such information regarding the Lease, the Lease Area and Tenant as reasonably requested by Assignee. Assignor shall promptly deliver to Assignee a copy of any written communication that Assignor delivers to Tenant or receives from Tenant and shall keep Assignee reasonably informed of any other notices or communications that relate to the Lease or Lease Area.
5. **Termination.** This Agreement shall automatically terminate on the Reversion Date. Assignor may not terminate this Agreement prior to the Reversion Date, except in the event Assignee abandons the Lease Area (as more particularly described in the Assignment Agreement).
6. **Remedies.** Assignee has the right to pay and/or discharge any Imposition (as defined in the Assignment Agreement), together with any penalty and interest that is not paid within the time specified, if such Imposition is or could become senior in right of payment or foreclosure to this Agreement, and Assignor shall reimburse Assignee for such payment. If Assignor fails to perform any obligation required under the Lease, then Assignee shall have the right to perform such obligation and shall be reimbursed by Assignor for all costs and expenses incurred in the performance of such obligation within 30 calendar days of request therefor, if any. In addition to its other rights and remedies under this Agreement, Assignee may enforce this Agreement by its equitable remedies available under applicable law, being acknowledged by Assignor that money damages may not be an adequate remedy for the harm caused by a breach or default under this Agreement. Neither Party shall be liable to the other for consequential, indirect, speculative or punitive damages.

7. **Mutual Indemnification.** Assignor and Assignee shall each indemnify, defend and hold the other harmless against any and all liability, claims, damages, expenses, judgments, proceedings and causes of action of any kind (“Claims”) caused by or arising out of the indemnifying party’s breach of this Agreement, the Assignment Agreement or the negligent acts or omissions or willful misconduct on the Parent Parcel by the indemnifying party or the employees, agents, or contractors of the indemnifying party. The terms of this section shall survive the termination of this Agreement.

8. **Representations.** Assignor hereby represents and warrants to Assignee, as of the Effective Date, that: (a) The Lease, this Agreement and all other documents executed by Assignor in connection therewith constitute the legal, valid and binding obligation of Assignor, enforceable against Assignor in accordance with their terms; (b) The execution, delivery and performance by Assignor of the Lease, this Agreement and such other documents executed in connection herewith do not and will not violate or conflict with any provision of Assignor’s organizational documents (if Assignor is an organization) or of any agreement to which Assignor is a party or by which Assignor or the Lease Area is bound; (c) Any consents, approvals and other authorizations necessary or appropriate respecting Assignor’s execution, delivery or performance of the Lease, this Agreement and such other documents executed in connection herewith have been obtained by Assignor and are and will remain in full force and effect; (d) There is no pending or threatened action, suit or proceeding that, if determined against Assignor, would adversely affect Assignor’s ability to enter into this Agreement or the Assignment Agreement or to perform its obligations; (e) The Lease is in full force and effect and a true, correct, and complete copy of the Lease (including all amendments, modifications, supplements, waivers, renewals and extensions thereof), is attached hereto as Exhibit B-2; (f) Except as specified in the Lease, no rents have been prepaid by Tenant more than thirty (30) days in advance; (g) Assignor has not delivered nor received a notice of a breach or default by either Assignor or Tenant under the Lease or notice of any fact, condition or circumstance which would constitute a breach or default by either Assignor or Tenant under the Lease; (h) Tenant, its agents and/or contractors have not notified Assignor of any intention or desire to terminate the Lease or surrender or abandon the Lease Area; and (i) To the actual knowledge of the Assignor, Tenant’s use and enjoyment of the Lease Area does not depend upon any license or easement (other than licenses and easements that may be granted in the Lease) for access or utility purposes. If Tenant’s use and enjoyment of the Lease Area depends upon any such license or agreement, then Assignor hereby assigns all of its right, title and interest in and to such license or agreement to Assignee and such license or agreement shall, for the purposes of this Agreement, be deemed to be included in the term “Lease”.

9. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties. The obligations of Assignor shall burden the Lease Area and shall run with such land. Assignor may not assign or otherwise transfer any of its rights under this Agreement to any person other than to a successor owner of all of Assignor’s fee title in and to the Parent Parcel without Assignee’s written consent, which shall not be unreasonably withheld. Assignee may from time to time sell, convey, assign, mortgage, pledge, encumber, hypothecate, securitize or otherwise transfer some or all of Assignee’s right, title and interest in and to this Agreement, the Lease and/or the documents executed and delivered in connection herewith and therewith without consent of Assignor; however, written notice of any transfer shall be provided to Assignor within sixty (60) days of such transfer by Assignee.

10. **Dispute Resolution.** This Agreement shall be governed and construed in accordance with the laws of the State where the Parent Parcel is located. Each Party waives any right to a jury trial in any action or proceeding to enforce or interpret this Agreement. In any action or proceeding brought to enforce or interpret this Agreement, the prevailing party shall be entitled to an award of its reasonable attorney’s fees and costs, and of its other expenses, costs and losses, including internal and administrative costs and losses associated with any breach or default. All damages or other sums payable by one party to another hereunder shall bear interest from the date incurred or payable until paid at a rate equal to the highest rate permitted by applicable law. If any part of this Agreement is deemed invalid, illegal or unenforceable, that invalid, illegal or unenforceable provision shall only be ineffective, and the remaining provisions shall remain in full force and effect. Each person or entity constituting Assignor shall be jointly and severally liable for all of the obligations of Assignor under this Agreement. In the event of default by either party, the non-defaulting party shall provide written notice of a default under this Agreement or the Assignment Agreement, not more than thirty (30) days from discovery of the default. Either party shall have fifteen (15) days to cure any monetary default. Either party shall have thirty (30) days to cure any non-monetary default or provide notice that a reasonable extended period of time will be required to pursue such cure to completion.

11. **Miscellaneous.** The Parties shall, from time to time, upon the written request of the other party, promptly execute and deliver such certificates, instruments and documents and take such other actions as may be reasonably appropriate to effectuate or evidence the terms and conditions of this Agreement or to enforce all rights and remedies hereunder or under the Lease. Any notice required or permitted to be given hereunder shall be in writing and shall be served by personal delivery, or by reputable overnight courier service, addressed to the party to be notified at the address set forth above. This Agreement, and the instruments and agreements referred to herein, constitute the entire agreement between Assignor and Assignee with respect to the subject matter hereof. Without limiting the generality of the foregoing, Assignor acknowledges that it has not received or relied upon any advice of Assignee or its representatives regarding the tax effect or attributes of the transactions contemplated hereby. This Agreement may be executed in counterparts each of which, when taken together, shall constitute a single agreement.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound, have caused this Agreement to be duly executed as of the date first written above.

ASSIGNOR:

City of Lemon Grove, California, a municipal corporation

By: _____
Name: _____
Its: _____

ASSIGNEE:

IWG-TLA Telecom, LLC

By: _____
Name: Jarred Saba
Its: Authorized Signatory

EXHIBIT A

LEGAL DESCRIPTION OF PARENT PARCEL

Conditional Use Permit 06-09 approved by City of Lemon Grove

Commonly known as: 2674 ½ Massachusetts Ave (ROW of Massachusetts Ave & San Miguel Ave.), Lemon Grove, CA 91945, in
San Diego County

EXHIBIT B-1

LEASE DESCRIPTION

That certain Cellular Communications Facility in the Public Right-of-Way Agreement dated June 4, 2007, by and between City of Lemon Grove, California, a municipal corporation and Omnipoint Communications Inc., a Delaware corporation ("Tenant") for a portion of the Parent Parcel located at 2674 ½ Massachusetts Ave (ROW of Massachusetts Ave & San Miguel Ave.), Lemon Grove, CA 91945, in San Diego County.

EXHIBIT B-2

LEASE

(See attached)

PREPARED BY:
IWG-TLA Telecom, LLC
Attn: Seth Trejo, Esq.
4640 Admiralty Way, Suite 1030
Marina del Rey, CA 90292

ASSIGNMENT OF LEASE AGREEMENT

This ASSIGNMENT OF LEASE AGREEMENT (the "Agreement") dated _____, 2019 (the "Effective Date") by and between City of Lemon Grove, California, a municipal corporation, having an address at 3232 Main St, Lemon Grove, CA 91945 ("Assignor"), and IWG-TLA Telecom, LLC, a Delaware limited liability company, having an address at 4640 Admiralty Way, Suite 1030, Marina del Rey, CA 90292 ("Assignee"), collectively as (the "Parties").

WHEREAS, Assignor has legal title to the real property situated in San Diego County, CA, as described in Exhibit A attached hereto and made a part hereof (the "Parent Parcel").

WHEREAS, Assignor leased a portion of the Parent Parcel (the "Lease Area") to Tenant (as defined in Exhibit B) in that certain lease agreement as more particularly described on Exhibit B (the "Lease").

WHEREAS, Assignor and Assignee are parties to a purchase agreement dated on or about the date hereof (the "Purchase Agreement"), pursuant to which Assignor has, among other things, sold and assigned to Assignee its beneficial right, title and interest in and to the Lease.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed as follows:

- 1. Assignment of Lease.** Commencing on the Effective Date, for a term of 600 months, and terminating on _____, 2069 (the "Reversion Date"), Assignor hereby sells and assigns all of its beneficial right, title and interest in the Lease to Assignee. Assignor has retained the obligations of lessor under the Lease and shall continue to perform such obligations, if any. In connection with the foregoing, Assignor irrevocably constitutes and appoints Assignee as its true and lawful attorney-in-fact, with full power of substitution and resubstitution to execute permits or any other agreements for the use or occupancy of the Lease Area. Assignor agrees to cooperate with Assignee's efforts to obtain any and all permits, approvals, variances or other consents or authorizations from the agency or authority having jurisdiction over the Lease Area and shall not unreasonably withhold or delay its consent to any application, permit or other consents sought by Assignee, including providing its signature thereon.
- 2. Termination.** This Agreement shall automatically terminate upon the Reversion Date. This Agreement may terminate prior to the Reversion Date in the event the Lease Area is abandoned for a period of five (5) continuous years.
- 3. Replacement Tenant.** If the current Tenant terminates, vacates the Lease Area, or otherwise breaches the Lease; Assignee may lease, sublease, license, transfer or assign all or a portion of the Lease Area to a Replacement Tenant(s), and shall provide notice and copies of all subleases and licenses to Assignor prior to commencement of same. Replacement Tenant must use the Lease Area for purposes consistent with the Lease.
- 4. Limited Right of First Refusal.** If Assignor receives an offer to purchase, assign, or pledge the cash flow of Assignor's interest in any telecommunications lease on the Parent Parcel, Assignor shall provide written notice via overnight courier to Assignee of such offer. Assignee shall have the right to purchase the cash flow on the same terms and conditions as the offer from the third party. In the event Assignee does not exercise its right of first refusal within

30 days of its receipt of such offer, Assignor may sell its interest in the lease to such third party on the terms and conditions provided in the notice to Assignee.

5. **Notice of Purchase Agreement; Conflicts.** This Agreement summarizes the rights granted to Assignee by virtue of the Purchase Agreement, and this Agreement does not and should not be interpreted to amend, amplify or diminish any of the terms and provisions contained in the Purchase Agreement. The Parties agree and intend that the Purchase Agreement shall control in the event of any conflict between any sentence contained in this Agreement and the terms and provisions contained in the Purchase Agreement.

6. **Assignor Representations and Covenants.** Assignor represents that it lawfully possesses the Lease Area and that it has the good and lawful right to convey it or any part thereof including, without limitation, the Lease assigned herein. Assignor shall not disturb Assignee's or any lessee or licensee of Assignee's use, quiet enjoyment or possession of the Lease Area. Assignor shall not settle or compromise any insurance claim or condemnation award relating to the Lease Area without Assignee's prior written approval, which shall not be unreasonably withheld. To Assignor's knowledge, as of the Effective Date, the Lease includes direct access to and from the Lease Area from the most accessible public right-of-way (the "Existing Public Rights-of-Way") for utilities (electric, telecommunication and/or fiber), persons and vehicles necessary for the use of the Lease Area by Assignee and the Assignee Parties. If, after the Effective Date, direct access to and from the Lease Area for persons and vehicles is not available via the Existing Public Rights-of-Way or another public street, public road, or public right-of-way, then the Assignee and Assignee Parties shall have, at no additional expense, the right to pedestrian and vehicular ingress/egress to and from the Lease Area over the Parent Parcel, which access route shall be subject to the mutual agreement of Assignor and Assignee.

7. **Impositions.** Assignor shall pay and perform in a timely manner all mortgages that are liens against the Parent Parcel and pay prior to delinquency, all taxes, charges and other obligations ("Impositions") that are or could become liens against the Parent Parcel, whether existing as of the date hereof or hereafter created or imposed. Assignee shall have no obligation or liability for the same. Except to the extent taxes and assessments are Tenant's obligation under the Lease, Assignor shall be solely responsible for payment of all taxes and assessments now or hereafter levied, assessed or imposed upon the Parent Parcel, or imposed in connection with the execution, delivery or performance of this Agreement, including without limitation any sales, income, documentary or other transfer taxes unless such Impositions are created by or through Assignee's actions, provided, however, the action of entering into this Agreement shall not be considered an action creating an Imposition which Assignee is responsible for.

8. **Hazardous Materials; Indemnification.** Either party shall not (either with or without negligence) cause or permit the escape, disposal or release of any Hazardous Material on the Lease Area in any manner prohibited by law. Each party shall indemnify and hold the other party harmless from any and all claims, damages, fines, judgments, penalties, costs, liabilities or losses (including any and all sums paid for settlement of claims, attorneys', consultants' and experts' fees) from the release of any Hazardous Material on the Lease Area if caused by or persons acting under the indemnifying party. For purposes of this Agreement, "Hazardous Material" means any substance which is designated, defined, classified or regulated as a hazardous substance, hazardous material, hazardous waste, pollutant or contaminant under any Environmental Law, as currently in effect or as hereafter amended or enacted.

9. **Miscellaneous.** This Agreement shall be binding upon and inure to the benefit of the Parties and their respective permitted successors and assigns. Assignee may sell, transfer or assign this Agreement to any related or unrelated third parties, so long as any such assignee shall be bound by all of the terms, conditions, rights, and obligations of this Agreement and the Purchase Agreement, the terms of which are incorporated herein for all purposes. This Agreement and any and all sales, transfers and assignments hereof shall be binding on Assignor and its successors in title or interest. The terms of this Agreement shall be governed by the laws of the State where the Parent Parcel is located.

10. **Alternate Lease.** In the event Assignor and Tenant were to agree to relocate the Premises to an alternate location (the "Alternate Lease") for any reason prior to the Reversion Date, Assignor shall, within ten (10) business days of executing the Alternate Lease, assign its interest in the Alternate Lease to Assignee on terms substantially similar to the assignment granted herein and at no cost to Assignee. The terms of this Section shall survive the termination of this Agreement.

IN WITNESS WHEREOF, Assignor and Assignee have caused this Agreement to be executed by their duly-authorized representatives as of the Effective Date set forth above.

ASSIGNOR:

City of Lemon Grove, California, a municipal corporation

By: _____
Name: _____
Its: _____

ASSIGNOR NOTARY ACKNOWLEDGEMENT:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____) ss.

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

(Notary Seal)

IN WITNESS WHEREOF, Assignor and Assignee have caused this Agreement to be executed by their duly-authorized representatives as of the Effective Date set forth above.

ASSIGNEE:

IWG-TLA Telecom, LLC, a Delaware limited liability company

By: _____
Name: Jarred Saba
Its: Authorized Signatory

ASSIGNEE NOTARY ACKNOWLEDGEMENT:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of Los Angeles)

On _____, 2019, before me, _____, a Notary Public, personally appeared Jarred Saba, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

(Notary Seal)

EXHIBIT A

LEGAL DESCRIPTION OF PARENT PARCEL

Conditional Use Permit 06-09 approved by City of Lemon Grove

Commonly known as: 2674 ½ Massachusetts Ave (ROW of Massachusetts Ave & San Miguel Ave.), Lemon Grove,
CA 91945, in San Diego County

EXHIBIT B

LEASE DESCRIPTION

That certain Cellular Communications Facility in the Public Right-of-Way Agreement dated June 4, 2007, by and between City of Lemon Grove, California, a municipal corporation and Omnipoint Communications Inc., a Delaware corporation ("Tenant") for a portion of the Parent Parcel located at 2674 ½ Massachusetts Ave (ROW of Massachusetts Ave & San Miguel Ave.), Lemon Grove, CA 91945, in San Diego County.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.F

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: Public Works Department

Staff Contact: Mike James, Assistant City Manager / Public Works Director

mjames@lemongrove.ca.gov

Item Title: Rejection of Claim

Recommended Action: That the City Council rejects a claim submitted by Robert Brodhead.

Summary: [On May 7, 2019, the City of Lemon Grove received a claim from Robert Brodhead. After reviewing the claim, staff recommends that the City Council rejects the claim.]

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

Staff Recommendation: That the City Council rejects a claim submitted by Robert Brodhead.

Attachments: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.G

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: Public Works Department

Staff Contact: Mike James, Assistant City Manager / Public Works Director

mjames@lemongrove.ca.gov

Item Title: Rejection of Claim

Recommended Action: That the City Council rejects a claim submitted by Marcos Martinez.

Summary: [On May 16, 2019, the City of Lemon Grove received a claim from Marcos Martinez. After reviewing the claim, staff recommends that the City Council rejects the claim.]

Environmental Review:

Not subject to review

Negative Declaration

Categorical Exemption, Section []

Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

Staff Recommendation: That the City Council rejects a claim submitted by Marcos Martinez.

Attachments: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.H

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: Public Works Department

Staff Contact: Mike James, Assistant City Manager / Public Works Director

mjames@lemongrove.ca.gov

Item Title: Rejection of Claim

Recommended Action: That the City Council rejects a claim submitted by Reyna Ortiz Mendoza.

Summary: [On April 3, 2019, the City of Lemon Grove received a claim from Reyna Ortiz Mendoza. After reviewing the claim, staff recommends that the City Council rejects the claim.]

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section [] Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

Staff Recommendation: That the City Council rejects a claim submitted by Reyna Ortiz Mendoza.

Attachments: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.I

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: City Manager's Office

Staff Contact: Steve Swaney, Fire Chief, Heartland Fire

Item Title: Designation of Applicants Agent Resolution for Non-State Agencies for CalOES

Recommended Action: Approve Resolution entitled, "Resolution of the City Council of the City of Lemon Grove, California, Approving the Designation of an Authorized Agent for the Filing of an Application to the California Office of Emergency Services for the Purpose of Obtaining Federal Financial Assistance and/or State Financial Assistance for All Open and future Disasters.

Summary: The CalOES Resolution needs to be updated to maintain eligibility for emergency expenditure reimbursement.

Discussion: In order to receive reimbursement for emergency expenditures, the State of California requires that the Designation of Applicants Agent Resolution for Non-State Agencies on file with CalOES be current. After submitting a Fire Management Assistance Grant (FMAG) reimbursement, it was brought to our attention that the resolution on file had expired. Resolutions are valid for a period of three years. A current resolution is needed to maintain eligibility for the FMAG and any other emergency reimbursement programs. When requesting reimbursement, a Project Assurance for Federal Assistance Form must be filed. Along with this form, the names associated with the position titles in the resolution must be submitted to CalOES on City letterhead and signed by a designated agent.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | | Mitigated Negative Declaration

Fiscal Impact:

N/A

Public Notification: None.

Staff Recommendation: Approve Resolution entitled, “Resolution of the City Council of the City of Lemon Grove, California, Approving the Designation of an Authorized Agent for the Filing of an Application to the California Office of Emergency Services for the Purpose of Obtaining Federal Financial Assistance and/or State Financial Assistance for All Open and future Disasters.

Attachments:

Attachment A – Designation of Applicants Agent Resolution for Non-State Agencies

Attachment B – Project Assurances for Federal Assistance (reference only, no action needed).

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, APPROVING THE DESIGNATION OF AN AUTHORIZED AGENT FOR THE FILING OF AN APPLICATION TO THE CALIFORNIA OFFICE OF EMERGENCY SERVICES FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE AND/OR STATE FINANCIAL ASSISTANCE FOR ALL OPEN AND FUTURE DISASTERS

WHEREAS, the attached copy is a resolution form mandated by the California Office of Emergency Services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby:

1. Approves the designation of a universal applicant’s agent resolution for non-state agencies (Attachment A- Exhibit 1); and
2. Directs staff to file the form with the California Office of Emergency Services.

PASSED AND ADOPTED on July 2, 2019, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Shelley Chapel, MMC, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE City Council OF THE City of Lemon Grove
(Governing Body) (Name of Applicant)

THAT City Manager, OR
(Title of Authorized Agent)

Assistant City Manager, OR
(Title of Authorized Agent)

Fire Chief
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Lemon Grove, a public entity
(Name of Applicant)
established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the City of Lemon Grove, a public entity established under the laws of the State of California,
(Name of Applicant)
hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

- This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.
- This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20_____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

City of Lemon Grove, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the City Council of the City of Lemon Grove
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20_____.

(Signature)

(Title)

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF EMERGENCY SERVICES
Cal OES 89

Disaster No: _____

Cal OES ID No: _____

DUNS No: _____

PROJECT ASSURANCES FOR FEDERAL ASSISTANCE

SUBRECIPIENT'S NAME: _____
(Name of Organization)

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: _____ FAX NUMBER: _____

AUTHORIZED AGENT: _____ TITLE: _____

EMAIL ADDRESS: _____

ASSURANCES – CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to all of your projects. If you have questions, please contact the California Governor's Office of Emergency Services. Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the subrecipient named above:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, Federal Office of Inspector General 2 CFR 200.336, and if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance-awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gains.
8. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

9. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3) as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) which may apply to the application.
10. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
11. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000 or more.
12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.O. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.O. 93-205).
13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
15. Will comply with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447, and 2448.
16. Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996.
17. Will disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with §200.112.
18. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.
19. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the subrecipient application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. The state warrant covering federal financial assistance will be deposited in a special and separate account, and will be used to pay only eligible costs for projects described above;
 - b. To return to the State of California such part of the funds so reimbursed pursuant to the above numbered application, which are excess to the approved actual expenditures as accepted by final audit of the federal or state government.
 - c. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.

- 20. The non-Federal entity for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award §200.113. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.

- 21. Will not make any award or permit any award (subaward or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, “Debarment and Suspension.”

“I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized by the above named subrecipient to enter into this agreement for and on behalf of the said subrecipient, and by my signature do bind the subrecipient to the terms thereof.”

PRINTED NAME

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

TITLE

DATE



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.J

Meeting Date: July 2, 2019

Submitted to: Honorable Mayor and Members of the City Council

Department: Public Works Department

Staff Contact: Stephanie Boyce, Senior Management Analyst

sboyce@lemongrove.ca.gov

Item Title: Accept the FY 2018-19 Street Rehabilitation Project (Contract No. 2019-08) as Complete

Recommended Action: Adopt a Resolution entitled, A Resolution of the City Council of the City of Lemon Grove, California, Accepting the FY 2018-19 Street Rehabilitation Project (Contract No. 2019-08) as Complete.

Summary: **In support of the City's Capital Improvement** Program, the City awarded the FY 2018-19 Street Rehabilitation Project to American Asphalt South in March 2019.

Background: On March 19, 2019, American Asphalt South was awarded the FY 2018-19 Street Rehabilitation Project (Contract No. 2019-08) with a total bid cost including Additive Alternates of \$464, 315.72 and a project budget not to exceed \$521,747.29. Since the project was awarded, there were three change orders. Change Order No.1 was issued **for the addition of sealing cracks ¼” and larger, traffic control, and clean-up** of crack sealed areas. Change Order No. 2 was issued for various unforeseen items including the addition and deduction of slurry and deep grind and replace with hot mix asphalt. Change Order No. 3 included project deductions and increases. The overall change orders reflects the unforeseen construction items, project deductions and increase of construction quantities, time and materials by \$1,559.78. The final project cost totaled \$465,876.50. On June 28, 2019, staff completed the final inspection of the improvements and determined the work was completed per the contract specifications.

Staff recommends that the City Council adopts a resolution (Attachment A) accepting the work as complete, authorizes the City Manager or designee to file a notice of completion with the County of San Diego, and authorizes staff to release the retention no sooner than thirty (30) days after the notice of completion has been filed.

Environmental Review:

Not subject to review

Negative Declaration

Categorical Exemption, Section |

Mitigated Negative Declaration

Fiscal Impact: TransNet and Gas Tax funds were budgeted for this project as part of the Capital Improvement Program.

Public Notification: None.

Staff Recommendation: That the City Council adopts a resolution accepting the FY 2018-19 Street Rehabilitation Project as Complete.

Attachment:

Attachment A – Resolution

RESOLUTION NO. 2019 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE,
CALIFORNIA, ACCEPTING THE FY 2018-19 STREET REHABILITATION
PROJECT (CONTRACT NO. 2019-08) AS COMPLETE

WHEREAS, on March 19, 2019, the City Council awarded the FY 2018-19 Street Rehabilitation Project (Contract No. 2019-08) to American Asphalt South; and

WHEREAS, the contract bid amount was established at \$464,315.72 with Additive Alternates and a total project budget not to exceed \$521,747.29; and

WHEREAS, three change orders in the total amount of \$1,559.78 increased the original contract price of \$464,315.72 to 465,876.50; and

WHEREAS, the final project cost of \$465,876.50 was allocated for this project from TransNet and Gas Tax funds; and

WHEREAS, on June 28, 2019, American Asphalt South completed the scope of work as defined by the original contract and change orders; and

WHEREAS, City staff inspected all of the improvements and determined that American Asphalt South fulfilled its contractual obligations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California hereby:

1. Accepts the work for the FY 2018-19 Street Rehabilitation Project (Contract No. 2019-08) as complete; and
2. Authorizes the City Manager or designee to file a notice of completion with the County of San Diego; and
3. Authorizes city staff to release the retention no sooner than thirty (30) days after the notice of completion is filed.

PASSED AND ADOPTED on _____, 2019, the City Council of the City of Lemon Grove, California, adopted Resolution No. _____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Shelley Chapel, MMC, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney