



Agenda Report

25-535

Agenda Date: 6/24/2025

REPORT TO COUNCIL

SUBJECT

Action on a Resolution Adopting the Revised Police Department Records Retention Schedule and Partially Rescinding Resolution 12-7965

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

The current Records Retention Schedule (“Schedule”) was adopted by the City Council on August 28, 2012, under Resolution 12-7965. The Schedule was divided into City-wide and department-specific schedules that defined the requirements for categorization of records and the respective retention periods for those categories. The Schedule is administered by the City Clerk’s Office and ensures the protection and efficient administration of the official records for the City of Santa Clara. This program assures the accessibility of information to the public, protects the City’s vital records, and provides a methodology for the periodic disposal of obsolete records. The Schedule must be compliant with various state laws, in alignment with industry best practices, cost effective, structured to appropriately preserve vital and historical City records, and be “user-friendly” for City staff.

The Records Retention Schedule provides a description of the type of records each department maintains, indicates which department is the office of record for files retained, and states the length of time the records will be held, any statutory guidelines related to maintaining records, and the final disposition of the records, if any.

The Schedule was last updated and adopted in August 2012. Since that time, technology and legislative changes have not been incorporated into the Schedule. Legislative guidelines continue to be followed, and the Schedule requires updates to reflect current practice.

In March 2025, the City retained the services of Kaizen Info Source to update the Schedule, starting with the Police Department. Subsequent updates to the Schedule for specific departments and City-wide records categories will come forward for approval as they are developed.

DISCUSSION

The Retention Schedule is an integral part of the City’s records and information management and requires periodic updates to comply with State regulations and individual department needs. The Schedule provides a basic index to the City’s records and a guide to City-wide records retention practices. The proposed revised Police Department Records Retention Schedule will support the City’s management of records. This updated Records Retention Schedule for the Police Department will not only increase government transparency but will also minimize legal risk to the City in that it

addresses modifications to retention periods in accordance with State law.

Examples of updates to the Police Department's Schedule include:

- Retention periods specific to body-worn camera footage, and associated data relating to body-worn cameras (which the Department did not use widely in 2012)
- Under Senate Bill 16 (effective January 1, 2023) the retention period for certain Internal Affairs files was increased from 5 to 15 years. While the Police Department already adopted an internal process to timely comply with the new law, this update to the Retention Schedule formally adopts the correct retention periods.
- Expressly including ALPR data retention period of one year, consistent with Department Policy 428, and as required by Senate Bill 34 (effective January 1, 2016). Again, the Police Department has already adopted a Policy Manual Section that was compliant with State law, but the Retention Schedule must be updated to reflect the same periods.

The proposed Resolution rescinds that portion of Resolution 12-7965 that adopted the current Police Department Retention Schedule, and adopts the updated schedule. The 2012 City-wide schedule, as well as the schedules applicable to other departments will remain in place pending completion of those updates, and approval of same by City Council.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

Adoption of the Police Records Retention Schedule has no fiscal impact.

COORDINATION

The report was coordinated with the City Clerk's Office, the Police Department, and City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Adopt the Resolution Adopting the Revised Police Department Records Retention Schedule and Rescinding those portions of Resolution 12-7965 (adopted August 28, 2012) applicable to the Police Department Record Retention Schedule.

Reviewed by: Cory Morgan, Chief of Police

Approved by: Jovan Grogan, City Manager

ATTACHMENTS

1. Revised Police Department Records Retention Schedule
2. Adopted 2012 Police Records Retention Schedule
3. Resolution 12-7965
4. Resolution