



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 15 - 0037
FEB 17 2015

REPORT RE:

**REQUEST TO DESTROY CERTAIN OBSOLETE RECORDS FROM
THE CITY CLERK ELECTION DIVISION (CLK/03 — 12 BOXES)
FOR DECEMBER 6, 2011**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

Transmitted herewith is a request by the City Clerk, Election Division (CLK/03 — 12 boxes) for December 6, 2011 to destroy certain obsolete records.

This Office finds that this request for destruction of obsolete records has been processed in accordance with the requirements of Los Angeles Administrative Code (LAAC) Section 12.5 and accordingly approves the destruction thereof. Also attached to this letter is a certification of the City Clerk and a form of resolution as required by LAAC Section 12.5. Should you have any questions, please contact Deputy City Attorney Harit Trivedi at (213) 978-7184.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By


JAMES P. CLARK
Chief Deputy City Attorney

JPC:as
Transmittal


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CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: January 22, 2015

TO: Honorable Mike Feuer, City Attorney
Room 800, City Hall East

FROM: 
Holly L. Wolcott, City Clerk

SUBJECT: **REQUEST FOR AUTHORITY TO DESTROY OBSOLETE RECORDS**

Attached is a Request for Authority to Destroy Obsolete Records from the City Clerk's Election Division signed by the authorized designee indicated for the period listed below:

DEPARTMENT/DESIGNEE/	DATES OF RECORDS
City Clerk Election Division (CLK/03 12 boxes) Holly Wolcott	December 6, 2011

CITY CLERK RECORDS REVIEW

In accordance with Section 12.5 (d) of the Los Angeles Administrative Code and the Mayor's Executive Directive No. 50, I hereby certify that the attached Request for Authority to Destroy Obsolete Records has been reviewed by my office and to the best of my knowledge is complete, accurate, and adequate. City Clerk staff have reviewed the request for historical content and removed any items of unique historical value. This file is therefore forwarded to your office for review and confirmation of consent on the attached Consolidated Request for Authority to Destroy Obsolete Records (Form Gen. 48a).

FISCAL IMPACT STATEMENT

The retention of 12 records boxes beyond the required retention time period, based on industry commercial standard rates, will continue to cost the City the equivalent of a minimum of \$1.94 per month, or \$23.33 per year.

Please return this letter and the enclosed documents to the City Clerk's Office for further processing to the City Council. If you have any questions please contact Todd Gaydowski of my Records Management Division at (213) 473-8449.

HLW:GA:TG
Attachments
d0300

RESOLUTION

WHEREAS, the City Clerk has submitted a Request for Authority to Destroy Obsolete Records pertaining to 12 boxes of initiative petitions from December 6, 2011 from the City Clerk's Election Division, and the request is signed by authorized designee Holly Wolcott, and

WHEREAS, said records are fully described on the attached Request for Authority to Destroy Obsolete Records and are certified for destruction by the head of said department; and

WHEREAS, none of said records: (a) affect title to real property or liens thereon; (b) are records of any court or any records required to be held by State statute; (c) are less than 2 years old, except those records with a shorter retention period specified by law; or (d) are minutes, ordinances, or resolutions of the City Council of the City of Los Angeles, or of any Board or Commission thereof; and

WHEREAS, all other provisions of Section 12.5 of the Los Angeles Administrative Code have been complied with.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Los Angeles, that, pursuant to the provisions of Section 12.5 of the Los Angeles Administrative Code, the destruction of said records within the limitations recommended by the Information Technology and Government Affairs Committee is hereby approved.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Los Angeles City Council at its meeting of _____.

HOLLY L. WOLCOTT - CITY CLERK

BY _____
Deputy

Council File No. _____

AUTHORITY TO DESTROY OBSOLETE RECORDS

Honorable Council of the City of Los Angeles

The following departments respectfully request authority to destroy the obsolete records listed herein. The records have been retained for the period of time prescribed on approved Records Retention Schedules and have been certified for destruction in accordance with Section 12.5 of the Los Angeles Administrative Code:

DEPARTMENT

PAGE(S)

CITY CLERK

Election Division (CLK/03)

Certification of Authority to Destroy Obsolete Records	1 page
Form48 listing 12 boxes of Initiative Petitions from December 6, 2011	<u>1 page</u>

2 pages
total

Consent of the City Attorney is hereby given in accordance with Section 34090 of the Government Code:

See attached letter for exceptions. No exceptions.

By James P. Clark Date 2-13-15 Council File No. _____
City Attorney

CERTIFICATION FOR DESTRUCTION OF RECORDS

I hereby certify that the following determinations have been made for the records listed on the attached Request(s) for Authority to Destroy Obsolete Records:

1. The records are under the management or control of named department head;
2. The Records Retention Schedule minimum time limits have been satisfied;
3. The records listed are no longer required:
 - a. For operations of named department or office, or
 - b. For the operations of the City, or
 - c. To satisfy a City Council policy adopted by resolution, or a City Council request, or
 - d. By the City for administrative, historical, research, fiscal, legal, or cultural purposes, or
 - e. By the City Clerk for the City Archives; and
4. The destruction of said records will not violate provisions of the State of California Government Code, Division 12 of the Los Angeles Administrative Code, or other applicable laws.

In the event the destruction of a writing is under consideration and a copy thereof has been made by photographic reproduction, the following determinations have also been made:

1. At least two copies exist within the custody of the City, one of which is of Archival quality and is stored in accordance with Sec. 12.4(a)(1)B of the Los Angeles Administrative Code;
2. All conditions set forth in Sec. 12.4 of the Los Angeles Administrative Code and all standards and regulations otherwise adopted or required by law have been satisfied; and
3. The provisions of City Charter Sec. 434, where applicable, have been complied with.

To the best of my knowledge, the above determinations are true:

BY  Date 1/20/2015

Department/Bureau City Clerk / Election Division

Records Dated December 6, 2011

