



MEMO

TO: HONORABLE CITY COUNCIL
Oakland, California

FROM: Britney Davis,
Acting City Clerk

DATE: March 27, 2024

Honorable President Fortunato Bas and Members of The City Council:

A RESOLUTION APPROVING A RECORDS RETENTION SCHEDULE FOR PREVIOUSLY OMITTED OAKLAND POLICE DEPARTMENT (OPD) AND COMMUNITY POLICE REVIEW AGENCY (CPRA) RECORDS AND OTHER ERRONEOUSLY OMITTED REVISIONS; MODIFYING TO THE EXTENT NECESSARY RESOLUTION NO. 90117 C.M.S. TO EXPRESSLY INCORPORATE THESE AMENDMENTS; AND REAFFIRMING THE AUTHORITY AND ROLE OF THE CITY CLERK TO (1) REVIEW AND APPROVE REQUESTS FOR THE DELETION AND/OR DESTRUCTION OF CITY RECORDS; AND (2) TO REVIEW AND AMEND THE RECORDS RETENTION SCHEDULE ON A PERIODIC BASIS WITHOUT RETURNING TO COUNCIL

On February 20, 2024, the Oakland City Council adopted Resolution [90117 C.M.S.](#) brought forth by the Office of The City Clerk. This Resolution approved the update of the records and information management policy and a records retention schedule for all city departments except for the Oakland Police Department and the Community Police Review Agency. Specifically, the Council approved the Resolution and amended Exhibit B to exclude the following categories in the Records Retention Schedule: Each and every record category that identifies the Police Department as a department of record; Each and every record category that identifies the Community Police Review Agency as the department of record; and Categories 5 and 12, which are generally applicable to all departments, would not apply to OPD records.

At the advisement of the City Council on February 20, 2024, no changes were approved to the records retention policy that pertained to these records. Council requested that the administration bring back a proposal for those OPD records, at the next City Council meeting. Ultimately, the Rules & Legislation Committee scheduled the item to the April 16, 2024 Council agenda, to ensure that the agenda materials would be published with as much notice to the public as possible.

Since the last Council meeting on February 20, 2024, the City's consultant has held trainings for City staff on the implementation of the records and information management policy. We continue to reiterate that departments must seek review and approval for the deletion and/or destruction of most records.

After consulting with the CPRA Executive Director and OPD and working closely with the Inspector General, Office of the Inspector General, staff returns to Council with an updated

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Britney Davis, Acting City Clerk, Office Of The City Clerk

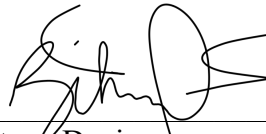
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retention schedule that includes retention timelines for OPD and the CPRA that have been revised based on input received from these departments, as well as other miscellaneous erroneously omitted revisions (i.e. Office of the City Attorney records).

This resolution and the updated schedules have been produced to increase government transparency to the public and staff; to minimize legal risk to the City; and to reaffirm the authority and role of the City Clerk to review the destruction of records requests and revise the retention schedule without returning to Council.

A handwritten signature in black ink, appearing to read 'Britney Davis', is positioned above a horizontal line.

Britney Davis

Acting City Clerk, Office of The City Clerk
City Of Oakland