

**RESOLUTION NO. 2026-027**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, ADOPTING A REVISED RECORDS RETENTION SCHEDULE FOR THE RETENTION AND DESTRUCTION OF OBSOLETE RECORDS.**

**WHEREAS**, California Government Code section 34090, *et seq.* provides that, with the approval of the City Council by resolution and the written consent of the City Attorney, the head of a City department may destroy any City record, document, instrument, book or paper, under his or her charge, without making a copy thereof, after the same is no longer required, provided that certain records are exempt from such destruction; and

**WHEREAS**, on July 1, 1988 the City of Fontana (“City”) adopted a records program which included a Records Retention Schedule that established City-wide standards for the retention and destruction of City records; and

**WHEREAS**, Section 2-298 of the City of Fontana Municipal Code requires that any amendments to the City’s Records Retention Schedule shall be adopted by resolution; and

**WHEREAS**, the City’s Records Retention Schedule was last updated in 2020; and

**WHEREAS**, due to changes in state and federal law regarding the retention of public agency records, City staff has determined that the Records Retention Schedule requires further amendments in order for the City to be in legal compliance regarding the retention and destruction of obsolete records; and

**WHEREAS**, to this end, City staff has prepared a revised City-wide Records Retention Schedule for consideration and adoption by the City Council; and

**WHEREAS**, the City Attorney has reviewed and approves the revised Records Retention Schedule, as evidenced by his signature on this Resolution, in accordance with the provisions of California Government Code section 34090; and

**WHEREAS**, the City Attorney and City Council hereby acknowledge that the City Attorney’s signature on this Resolution constitutes written consent under California Government Code section 34090 for the destruction of obsolete and unnecessary records and documents in accordance with the City-wide Records Retention Schedule.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Fontana, California as follows:

**Section 1. Incorporation of Recitals.** The City Council hereby finds and determines that the recitals of this Resolution are true and correct and are hereby incorporated in this Resolution.

**Section 2. Approval of the Revised Records Retention Schedule.** The City Council hereby approves and adopts the revised Records Retention schedule, attached hereto as Exhibit "A" and incorporated herein by this reference. All records of the City shall be maintained in accordance with the revised Records Retention Schedule. The City Council's approval of the revised Records Retention Schedule and adoption of this Resolution shall constitute approval, as required by statute, of the destruction of any and all obsolete City records that have been maintained in accordance with the Records Retention Schedule.

**Section 3. Grant of Authority.** The City Council hereby grants to the City Manager, or his or her designee, ongoing authority without further approval required by the City Council, and with the written consent of the City Attorney provided herein, to authorize the destruction of any and all obsolete City records that have been maintained in accordance with the Records Retention Schedule approved by the City Council and adopted by this Resolution.

**Section 4. Custodian of Records.** The Deputy City Clerk is hereby designated the official "Custodian of Records" and shall develop policies and procedures for the implementation of the City-wide records program and Records Retention Schedule. The Custodian of Records is hereby authorized to carry out the City-wide records program and any related policies and procedures under the direction of the City Manager. The Custodian of Records is further authorized to update the Records Retention Schedule from time to time to incorporate changes in local, state and federal laws affecting retention of City records.

**Section 5. Rescinding Prior Resolutions.** The City Council hereby rescinds any and all previous resolutions or portions thereof to the extent that they conflict with this Resolution and the revised Records Retention Schedule adopted herein.

**Section 6. Certification.** The City Clerk shall certify to the adoption of this Resolution.

**Section 7. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**APPROVED AND ADOPTED** this 28<sup>th</sup> day of April 2026.

**READ AND APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting held on the 28<sup>th</sup> day of April 2026, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
City Clerk of the City of Fontana

\_\_\_\_\_  
Mayor of the City of Fontana

**ATTEST:**

\_\_\_\_\_  
City Clerk

**EXHIBIT "A"**  
**RECORDS RETENTION SCHEDULE**  
**[ATTACHED]**