

Resolution No. 15-11

**BEFORE THE COMMISSION OF
LOS ALTOS HILLS COUNTY FIRE DISTRICT
SANTA CLARA COUNTY, STATE OF CALIFORNIA**

**A RESOLUTION ADOPTING A RECORDS RETENTION SCHEDULE AND AUTHORIZING
DESTRUCTION OF CERTAIN DISTRICT RECORDS**

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 Los Altos Hills County Fire District; and

WHEREAS, Section 60200 of the Government Code of the State of California provides that the legislative body of a special district may authorize at any time the destruction or disposition of any duplicate record, paper, or document, the original or a permanent photographic record of which is in the files of any officer or department of the district; and

WHEREAS, Section 60201 of the Government Code of the State of California is amended effective January 1, 2005 to provide that district records which have served their purpose, which are not expressly required by law to be filed and persevered, and which will not adversely affect any interest of the district or public may be destroyed; and

WHEREAS, the District has a procedure to maintain a list of the types of records destroyed or disposed of that reasonably identifies the information contained in the records in each category; and

WHEREAS, the District has previously adopted a retention schedule, and has determined a need to modify it;

NOW, THEREFORE, THE COMMISSION OF THE LOS ALTOS HILLS COUNTY FIRE DISTRICT DOES RESOLVE AS FOLLOWS:

Section 1. The Commission finds that the destruction or disposition of the records series that have exceeded the retention periods as set forth in the Records Retention Schedule

Exhibit A will not adversely affect any interest of the District or the public, and that this Records Retention Schedule supersedes any previously adopted records retention schedule.

Section 2. The records of the Los Altos Hills County Fire District, 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 60201 et seq. of the Government Code of the State of California and in accordance with the provision of said schedule in accordance with District policies and procedures, without further action by the Commission of the Los Altos Hills County Fire District.

Section 3. 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.

Section 4. The District Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 5. This resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Commission of the Los Altos Hills County Fire District on September 15, 2015, by the following vote:

AYES: Commission Members-

NOES: Commission Members-

ABSTAIN: Commission Members-

ABSENT: Commission Members-

I HEREBY CERTIFY that the foregoing Resolution No. 15-11 was duly and regularly adopted at a regular meeting of the Commission of the Los Altos Hills County Fire District on September 15, 2015.

By:

Dorothy Price, Board President

District Clerk Attest:

District Clerk

RECORDS RETENTION SCHEDULE

Dept.	RRS #	Records Description	Retention / Disposition							Comments / Reference
			Active (in home office)	Inactive (District Office, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.										
Litigation, complaints, claims, public records act requests, and/or investigations suspend normal retention periods (retention begins after settlement or completion).										
Admin. / District Clerk	RRS-001	Agendas & Agenda Packets - District Commissioners	5 years		5 years	Yes: Before Meeting Date	Mag, Ppr			Department preference; GC §60201
Admin. / District Clerk	RRS-002	Agreements & Contracts (All are attached to a Resolution)	Completion	P	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After Inactive	Department Preference; All infrastructure, JPAs, & Mutual Aid contracts are permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337. 337.1(a), 337.15, 343; GC §60201 et seq.
Admin. / District Clerk	RRS-003	Audio Tapes & Digital Recordings District Commission meetings	30 Days or After Minutes are Approved, Whichever is Longer		30 Days or After Minutes are Approved, Whichever is Longer		Tape (Mag), OD			Department Preference; legally required for 30 days (or adoption of the minutes); GC §54953.5(b)
Admin. / District Clerk	RRS-004	Audited Financial Statements / Comprehensive Annual Financial Report (CAFR) with Audit Management Letters / Audit Reports	2 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: After 1 year	Department Preference for historical purposes; District Clerk retains original permanently; GC §60201 et seq.
Admin. / District Clerk	RRS-005	Backups (Computer) Tapes— MONTHLY —Network, All Files on Shared Drives (Incremental)	When No Longer Required		When No Longer Required	Yes	Mag			Used for Disaster Recovery Purposes only; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §60201 et seq.

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Admin. / District Clerk	RRS-006	Bank Deposits	2 years	5 years	7 years		Mag, Ppr			Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Admin. / District Clerk	RRS-007	Budgets: Development, Drafts, etc.	When No Longer Required		When No Longer Required		Mag, Ppr			Department Preference; District Clerk maintains originals; longer for administrative value; GC §60200
Admin. / District Clerk	RRS-008	Claims & Litigation	Final Disposition	5 years	Final Disposition + 5 years	Yes: Until Final Disposition	Mag, Mfr, OD, Ppr	S / M / I	Yes: After Final Disposition	Department Preference; Statute of Limitations for most contracts is 4 years; wrongful death for construction is completion + 5 years; CCP §§ 337 et seq.; GC §§ 945, 60201 et seq.; PC §832.5
District Engineer	RRS-009	Construction Projects / Pipelines (Cal Water, Purissima, etc.)	Completion + <u>5</u> 4 years		Completion + <u>5</u> 4-years	Yes: Until Completed	Mag, Ppr			Preliminary Drafts, Copies, Non- records (Cal Water / Purissima holds the originals); GC §60201 et seq.
Admin. / District Clerk	RRS-010	Copies or duplicates of any record	Copies - When No Longer Required		Copies - When No Longer Required		Mag Ppr			GC §60200
Admin. / District Clerk	RRS-011	Correspondence - <u>Establishing Policy</u> (documents formation of policies or decision making process - e.g., Policy for using facilities)	Until Superseded	Superseded + 2 years	Superseded + 2 years		Mag, Mfr, OD, Ppr	S / I	Yes: When Supersede d	Statewide guidelines propose Superseded + 2 or 5 years; GC §60201

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Admin. / District Clerk	RRS-012	Correspondence - ROUTINE (e.g. Administrative, Chronological, Communications, General Files, Letters, Memorandums, Miscellaneous Reports, Reading, Working Files, <u>Weed Abatement, Unsuccessful Proposals, etc.)</u>	2 years		2 years		Mag, Ppr			GC §60201	
		Correspondence - TRANSITORY / PRELIMINARY DRAFTS, I (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, that does not have a material impact on the conduct of business, invitations, instant messaging, 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, etc.)									

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Admin. / District Clerk	RRS-013	Correspondence - TRANSITORY / PRELIMINARY DRAFTS , not retained in the ordinary course of business (e.g. calendars, checklists, e-mail or social media posting that is NOT made or retained for the purpose of preserving the informational content for future reference does not have a material impact on the conduct of business , logs, mailing lists, meeting room registrations, supply inventories, transmittal letters, thank yous, undeliverable envelopes, voice mails, webpages, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr			<u>Electronic and paper records are filed and retained based upon their content. E-mails or social media postings that ARE made or retained for the purpose of preserving the informational content for future reference have a material impact on business are saved by printing them out and placing them in a file folder, or saving them electronically; If not mentioned here, consult the Attorney to determine if a record is considered transitory / preliminary drafts. GC §§34090, 6252, 6254(a); 64 Ops. Cal. Atty. Gen. 317</u>
Admin. / District Clerk	RRS-014	County Signature Authorization Cards	Superseded + 2 years		Superseded + 2 years		Mag, Ppr			Department Preference; Meets municipal government auditing standards; GC §60201
Admin. / District Clerk	RRS-015	County Vouchers (Accounts Payable Authorizations with Invoices, <u>Fiscal Reports & General Ledger (GL)</u>)	2 years	5 years	7 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S/I	Yes: After 1 year	May contain independent contractor's compensation, expense reimbursement, or District credit card records; Meets municipal government auditing standards; Sewage Sludge is required for 5 years; Published articles show 3 - 7 years; 40 CFR 122.41(j)(2); WC §13263.2(b) et seq.; GC §60201(d)(12)

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Admin. / District Clerk	RRS-016	Deeds, District Lot, Property Titles, Property Acquisitions, Conveyances, <u>Annexations to the District, etc.</u>	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201(d)(8)
Admin. / District Clerk	RRS-017	District Logo	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201 et. seq.
Admin. / District Clerk	RRS-018	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". GC §60201, GC §6254
Admin. / District Clerk	RRS-019	Ethics Training Certificates	5 years		5 years		Mag Ppr			GC §53235.2(b)
<u>Admin. / District Clerk</u>	<u>RRS-038</u>	<u>Fire Hydrant Testing</u>	<u>10 years</u>		<u>10 years</u>		<u>Mag Ppr</u>			<u>GC §60201 et. Seq.</u>
District Consultant	RRS-020	Fire Station Construction / CIP (Capital Improvement Project) Files - <u>Administration File:</u> Project Administration, Advertising, Certified Payrolls, Confined Space Entries, Complaints (project-related), Cost of Construction, Insurance Certificates from Contractors, Labor Compliance, Logs, Meeting Minutes, Performance Bonds/Surety, Project Security files, Project Schedules, Real Estate Appraisals, etc.	Upon 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: Until Completed	Mag, Ppr			Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; Death during construction is 10 years; CCP §§337., 337.1(a), 337.15 GC §60200, Contractor has retention requirements in 48 CFR 4.703

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District Consultant	RRS-021	Fire Station Construction / CIP (Capital Improvement Project) Files - <u>Permanent File:</u> Specifications, RFIs/RFPs, Change Orders, Materials Testing Reports, Notice of Completion, Soils Reports, Structural Calculations, Surveys, Submittals, Materials Submittals, Record Drawings ("As-Built"), etc.	Upon Completion	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: 1 year	For disaster preparedness purposes; GC §60201 et seq.	
Admin. / District Clerk	RRS-022	Fixed Assets (Furniture, Tables, Copier, etc.)	2 years	5 years	7 years		Mag, Ppr			Department Preference; Meets municipal government auditing standards; GC §60201	
Admin. / District Clerk	RRS-023	FPPC 700 Series Forms (Statement of Economic Interests): DESIGNATED EMPLOYEES & PUBLIC OFFICIALS (specified in the District's Conflict of Interest code)	7 years		7 years		Mag, Mfr, OD, Ppr	S	Yes	Department preference (Public Officials are only required for 4 years); GC §81009(e)(g), GC §81009(f)(g)	
Admin. / District Clerk	RRS-024	Historical Records	P		P		Mag, Mfr, OD, Ppr	S	No	District Clerk Determines Historical Significance; GC §60201	
Admin. / District Clerk	RRS-039	<u>Insurance Certificates</u>	<u>11 years</u>		<u>11 years</u>		<u>Mag, Ppr</u>			<u>Department preference to cover all statute of limitations; CCP§ 337 et seq., GC §60201(d)(3)</u>	
Admin. / District Clerk	RRS-025	Minutes: District Commissioners	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201(d)(3)	
Admin. / District Clerk	RRS-026	Newspaper Clippings	When No Longer Required		When No Longer Required		Mag, Ppr			Non-records; GC §60201 et seq.	

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Admin. / District Clerk	RRS-027	Notices: Affidavits of Postings and Publications, Bid Notices, Legal Notices, etc.	2 years		2 years		Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; GC §§60201, 54960.1(c)(1)
Admin. / District Clerk	RRS-028	Ordinances	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201 et. seq.
Admin. / District Clerk	RRS-029	Press Releases	2 years		2 years		Mag, Ppr			GC §60201 et seq.
Admin. / District Clerk	RRS-030	Public Education, Public Training Classes (Defensible Space, Fire Extinguishers, Brochures Written by the District, etc.)	P		P		Ppr			Maintain 1 copy for historical purposes; GC §60201 et seq.
Admin. / District Clerk	RRS-031	Public Records Act Requests	2 years		2 years		Mag, Ppr			GC §60201(d)(5)
Admin. / District Clerk	RRS-032	Records Destruction Authorization Forms	10 years		10 years		Mag, OD, Mfr, Ppr	S	Yes: After 2 years	Department Preference; GC §60201(b)(1)(B)
Admin. / District Clerk	RRS-033	Records Retention Schedules	When Superseded	P	P		Mag, OD, Mfr, Ppr	S	Yes: After 2 years	Department Preference; GC §60201(b)(1)(B)
Admin. / District Clerk	RRS-034	Reference Materials: Brochures, Manuals, Policies, Procedures & Reports	When No Longer Required - Minimum of Superseded		When No Longer Required - Minimum of Superseded		Mag, Mfr, OD, Ppr	S / I	Yes: When Super- seded	Documents of historical significance should be retained longer; GC §60201
Admin. / District Clerk	RRS-035	Reports and Studies - White Papers, Issue Papers, Position Papers, Scientific Studies (Byrne Preserve Study, etc.)	Minimum 2 years		Minimum 2 years		Mag, Ppr			GC §60201

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Admin. / District Clerk	RRS-036	Resolutions	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201 et. seq.
Admin. / District Clerk	RRS-037	Software Licenses / Software and Hardware Manuals	When Superseded or Replaced		When Superseded or Replaced		Mag, Ppr			Department Preference (Preliminary documents); the Lead Department should print out historical documents prior to replacing the data; GC §60200, 60201 et seq.

TRANSMITTALS

5.
Prepared by: Jeanne Evilsizer
Reviewed by: [Signature]
Submitted by: [Signature]

To: Commissioners, Los Altos Hills County Fire District
From: Jeanne Evilsizer, District Clerk [Signature]
Date: September 4, 2015
Subject: Adopt Resolution 15-11 and the Records Retention Schedule

RECOMMENDED ACTION

Adopt Resolution 15-11 and the Updated Records Retention Schedule

REASONS FOR RECOMMENDATION

During the implementation of the records management project, we encountered several records series that we need to add to the retention schedules, which are outlined in blue underlining.

BACKGROUND

Los Altos Hills County Fire District (LAHCFD) selected Gladwell Governmental Services, Inc. an expert in special district records, to develop a comprehensive records retention schedule for the District. This program was necessary to ensure retention periods, reflected changes in law, to reduce current and future records storage costs, eliminate duplication of effort, increase efficiency and take advantage of current technology.

CONSEQUENCES OF NEGATIVE ACTION

Records kept would not be up to current standards. Keeping unnecessary documents increases clutter and decreased efficiency.

DISCUSSION

As we were inventorying the District's records, there were several clarifications, additions, or changes that were encountered to our records retention schedules, which are shown in blue underline in the attached records retention schedule.

[Signature]