



Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533

(707) 439-3897 • FAX: (707) 438-1788

Date: Commission Meeting of June 12, 2017

To: Commissioners and Alternates

From: Roseanne Chamberlain, Executive Officer

Subject: Revisions to the Records Retention and Destruction Policies; Adoption of a Records Retention Schedule

RECOMMENDATION

The Executive Officer recommends the Commission make minor revisions to the existing records retention policies and adopt a schedule for retention and destruction of various record types.

BACKGROUND

The current Records Retention Policy was adopted October 17, 2011. This policy seems intended only for retention of commission records of boundary changes and changes of organization. It currently requires the permanent retention of all LAFCO records of all kinds. Many types of records, especially administrative records, are not needed beyond a few years. Unfortunately, the policy provides for permanent retention of administrative records on the same basis as project records and these documents are not needed beyond a few years.

DISCUSSION

The majority of LAFCO boundary change projects are digitized in an effective system. The commission was very prudent to store these permanent documents in an electronic, searchable format. Secure redundant back-up storage of these digitized records are maintained at a high standard. Hard copy originals of these documents could be destroyed, however we currently have space available and the hard copies facilitate certain types of research. No changes are recommended for these documents.

Commissioners

Harry Price, Vice-Chair • Pete Sanchez • Jim Spering • John Vasquez

Alternate Commissioners

Len Augustine • Nancy Shopay, Chair • Skip Thomson

Staff

Roseanne Chamberlain, Interim Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

The Executive Officer reviewed county records management schedules, record management policies and schedules of several other LAFCOs to evaluate retention time frames.

Most government agencies distinguish among their many types of records and establish a list of retention time periods. Many types of documents are subject to statutory requirements for retention. Staff needs a clear set of guidelines to know what to safely destroy and when.

Following approval of a records retention schedule, staff will be able to make better use of office space and may be able to better organize our active records.

Attachments: Records Retention Schedule

Commissioners

Harry Price, Vice-Chair • Pete Sanchez • Jim Spering • John Vasquez

Alternate Commissioners

Len Augustine • Nancy Shopay, Chair • Skip Thomson

Staff

Roseanne Chamberlain, Interim Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

Solano LAFCO Records Retention Schedule (approved 6/12/17)

Key: AC=while active TE=termination CY=Current Year SU=Superceded					
Category - General	Category - Specific	Types of Records	Examples of Documents	Term	Legal Authorities Citation Examples (provided by County)
Accounting	Accounts Payable/Receivable	Records and information related to the accounting of monies paid or received, including payment for financial obligation, debt, paying of employment expenses, employee expense reimbursement, money paid for fines or fees, services rendered, vendor credit cards, cash payments received, etc.	Activity Reports Authorizations Cash Disbursement Cash Receipts Credit Card Information Credit Card Slips, Statements Credit Memos Customer Setup Package (<i>Address, Approvals, Financials, Forms</i>) Deposit Permits Employee Expense Reports, Reimbursements Fiscal Disbursements Form 1099 Records Form W-9 Records IFAS Reports Invoices and Vouchers Invoices, Vouchers, Journal Vouchers Payables Package, Receipts Payments Petty Cash Data Promotions, Rebates Receivables Package, Receipts Sales Invoices Subscription Lists Road Mileage Records Vendor Invoices	CY+6Y	CA - GC 34090 CA - RTC 19704 (6) US - 26 CFR 1.162-17 - (MAINT) US - 26 CFR 31.6001 - (CY+3Y) US - 26 CFR 301.6501 - (CY+3Y)
Accounting	Audits	Records and information related to the financial audits	Final Audit reports	CY+6Y	
Accounting	Capital Assets, Fixed Assets (note: records retained by County Auditor under MOU & policies adopted 6/12/17)	Records and information related to the ownership, purchase, sale, lease or improvement of real property and equipment	Authorization for Capital Expenditures Capital Asset Records Equipment Acquisition Fixed Asset Ledger	Permanent	CA - CCP 337.15 - (LA10Y) CA - GC 34090 US - 26 CFR 1.1461-2 - (CY+1Y) US - 26 CFR 31.6001 - (CY+3Y) US - 26 CFR 301.6501 - (CY+3Y) US - 26 CFR 301.6511(D)-1 - (LA7Y)
CEQA	Environmental Review Documents, proposal related	Lead agency documents for projects & responses	Notice of Preparation, Consultation, Neg Declarations, Mitigated Neg Declarations, DEIR, FEIR, Findings, Mitigations, Overrides, Mitigation Monitoring Plans & Programs, CEQA Resolutions.	AC +5yrs	
CEQA	Environmental Review Documents, general	Non-Project CEQA document, general records of review and comment,	ElRs, Notice of Preparation, comment and consultation documents	AC+5	
Commission	Legislative Actions, Meeting records	Legislative and non-legislative decisions, including Commission and Committee meeting minutes and actions.	Agenda Items (Final) Meeting Minutes, Notices Minute Books & Index Minute Orders	PR	CA - CCP 315 - (LA10Y) CA - CCP 321 - (5Y) CA - CCP 336 - (5Y) CA - CCP 336a - (6Y)
Commission, Designated Employees	Financial Disclosure, ethics training, miscellaneous information	Financial Disclosure, nominations to CALAFCO, ethics training certificates	FPPC Form 700 copies (originals with County Elections Office, retained 7 yrs)	AC+2Y	GC 81009 (c),(f), (g);
Communications, Outreach	Public Records Requests	Records requested by the public and related inquiries.	Formal Public Records Requests Inquiries, document lists, file notes	AC+2Y	CA - GC 6250 - (2Y) CA - GC 34090 - (2Y)
Compliance	Records, Information Management	Documentation of the compliance with Records and Information Management policy and procedures.	Document Hold Notices Lists of Stored / Destroyed Records Records of Document Destruction	SU+10Y	CA - CCP 312 - (LA4Y) CA - CCP 315 - (LA10Y) CA - CCP 337 - (4Y) CA - CCP 337.15 - (LA10Y)
Contracts	Agreements, Contracts and Leases (General)	Executed agreements between LAFCO and other parties.	Agreements, Amendments, Addendums Attachments / Exhibits Contracts, Contracts in Effect, Letters of Intent Requests for Proposals/Qualifications, Disclosures Leases, Real Estate Leases, Attachments Licensing, Licenses (<i>general</i>) Memoranda of Understanding (MOUs) Sales Contracts Statements of Work (SOW) Schedules Settlement Agreements	AC+10Y	CA - CCP 312 - (LA4Y) CA - CCP 315 - (LA10Y) CA - CCP 337 - (4Y) CA - CCP 337.15 - (LA10Y) CA - CCP 343 - (4Y) CA - GC 34090 - (2Y) US - 26 CFR 31.6001-1 - (CY+4Y) US - 26 CFR 301.6501 - (CY+3Y) US - 40 CFR 70.6 - (AC+5Y) US - 40 CFR 122.21(p) - (3Y) US - 40 CFR 122.41(j) - (3Y) US - 49 CFR 107.504 - (AC+2Y)
Deliberative Process Documents	Documents subject to GC 6254(a)	Preliminary drafts, notes, inter or intra-agency memoranda	destroy or delete as soon as no longer useful needed in the deliberative process	AC	GC 6254(a)
Documents of Historical Interest	Early LAFCO History, newsletters	Materials of historical importance	Copies of Morga, DRA, Cortese-Knox, early policies and procedures, historic forms and related materials	Permanent	

Solano LAFCO Records Retention Schedule (approved 6/12/17)

General	Non-Specific Correspondence, includes electronic communication	Correspondence, memos, notes, emails that do not require acknowledgment or follow-up, pertain to non-essential subjects, or are not subject to another category.	Casual Correspondence Conference Materials, Chronological Files Employee Communication Letters, Announcements, New Program Introductions Notes of Appreciation	SU+2Y	CA - CCP 337 - (4Y) CA - GC 26202 - (2Y)
General	Administrative Work Projects and Subject Working Files	Records documenting specific activities related to a particular work project or subject	Working Files (<i>resource documents, sample work product, continuing education information, work efforts, strategic plans, improvement plans</i>)	PC+2Y	CA - GC 34090 - (2Y)
General	Policies, Procedures	Adopted policy and procedures	Policies, Bylaws Procedure Manuals Procedures Records Retention Schedule	AC+10Y	US - 19 CFR 146.21 - (MAINT) US - 29 CFR 31.6501 - (CY+3Y) US - 29 CFR 1602.14 - (FR+1Y) US - 29 CFR 1627.3 - (TE+1Y)
Legal Opinions	Confidential Legal Opinions, Attorney Client Priveledge	Confidential Legal Opinions	includes electronic format	SU+2yr or determined by counsel or EO	
Litigation	Case files, matters in arbitration or mediation	Case files, includes matters in arbitration or mediation		AC +2yrs after appeal expired	
Proposals	LAFCO Project Files	Sphere Adoption and Boundary changes; Project Records; Changes of organization, annexations, detachments, Out of Agency Service Authorization	Applications, notices, Certificate of Filing, Staff reports & hearing documents, tax exchange records; All Recorded Documents, comments, correspondence.	Permanent	
Proposals	LAFCO Pre-Application Materials	Preliminary project research for future Sphere Adoption and Boundary changes;	Future project related inquiries, preliminary project research and information.	AC +10	
Proposals	Mailing lists for notice (owner/voter)	Mailing lists for notice (owner/voter)	Lists, Address labels, copies of lists	AC+1yr	
Risk Management	Insurance Coverage	Records detailing coverage against property damage and liability, including renewal submission information, insurance quotes, & broker correspondence.	Binding Information Binders Broker Correspondence Certificates of Insurance	SU+6Y	CA - 22 CCR 3267.2 - (MAINT)
Staffing	Personnel Files	All documents related to paid employees, including but not limited to: - hiring - promotion	Applications, Applicant Reference Verifications Attendance Records Awards, Rewards, Commendations, Certificates Change in Status (CIS)	TE+6Y	CA - 2 CCR 11013 - (FR+2Y) CA - CCP 312 - (LA4Y) CA - GC 12946 - (TE+2Y) CA - GC 34090 - (2Y)
Staffing	Recruitment	Records and information related to applications and related records of candidates.	Applications, CVs, Resumes (<i>Rejected, Unsolicited</i>) Background Checks, Drug Testing, Pre-Hire Screening Interview Notes Job / Position Descriptions	AC+2Y	CA - GC 12946 - (FR+2Y) CA - GC 34090 - (2Y) US - 29 CFR 1627.3b1 - (1Y)
Staffing	Salary, Compensation	Documentation of position and employee compensation.	Annual Compensation Plans, Planning Classification Studies Compensation Plans, Analysis Cost of Living	SU+3Y	CA - GC 34090 - (2Y) US - 26 CFR 301.6501 - (CY+3Y) US - 29 CFR 1602.14 - (FR+1Y) US - 29 CFR 1627.3 - (TE+1Y)
Staffing	Work Authorizations and Supporting Documentation	Employment eligibility verification forms collected for active employees and supporting documentation regarding immigration status.	Employment Eligibility Forms I-9 Documents Immigration Supporting Documentation	TE+1Y	US - 20 CFR 655 Subpart H - (TE+1Y) US - 8 CFR 274a.2 - (3Y, or TE+1Y)
Staffing	Employee Benefits	Employee election (selection), enrollment or termination forms and related correspondence, including transmissions to carriers of additions, changes, claims and deletions (includes employee medical records subject to HIPAA requirements).	Actuarial Analysis for Benefit Reserves and Accounting Appeals Benefits Files, Contract Copies, Enrollments, Appeals Beneficiary Designations Carrier Reporting, Performance COBRA Rates, Records, Histories Committee Charter, Minutes Death Claims, Life Event Documents Employee Cost-Sharing Amounts Employment Authorizations, Terminations, Confirmations, Status Changes, Coverage Changes Family & Medical Leave Tracking (<i>Compensation, Complaints/Disputes, FMLA Requests, Parental Leave Forms, Paid/Unpaid Leave</i>) Group Insurance Cost Data Health and Medical Files Individual Retirement Accounts, Histories (<i>IRAs, 401a, 401k, 457</i>) Investment Monitoring Reports, Policy Statements Life Insurance Notification Letters Leave of Absence Documentation Medical Billing Statements Required Benefits Reporting Social Plan Summary Plan Descriptions Supplemental Forms	TE+6Y	CA - 22 CCP 1085 - (MAINT) CA - GC 12946 - (2Y) US - 26 CFR 301.6501 - (CY+3Y) US - 29 CFR 516.6 - (2Y) US - 29 CFR 825.500 - (3Y) US - 29 USC 1027 - (6Y) US - 29 USC 1059 - (TE+1Y) US - 29 USC 1113 - (LA6Y) US - 29 USC 1166 - (3Y) US - 29 USC 1451 - (LA6Y) US - 29 CFR 2610.11 - (6Y) US - 29 CFR 4007.10 - (6Y) US - 29 CFR 4041.11 - (6Y)