



LOCAL AGENCY FORMATION COMMISSION NAPA COUNTY

Policy on Records Retention and Destruction

(Adopted: August 1, 2011; Last Amended: August 2, 2021)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, pursuant to [California Government Code \(G.C.\) §56382](#), directs the Commission to make arrangements for the retention and safekeeping of records relating to activities and actions tied to administering its regulatory and planning responsibilities. This includes preserving and protecting records for future public reference relating to the formation, expansion, and reorganization of cities and special districts and their municipal services.

Many other laws and standards apply to the management, retention, and destruction of Commissions records, including G.C. §58000 *et seq.* related to destruction of public agency records.

II. Purpose

The intent of this policy is to provide guidance to Commission staff regarding the management, retention, and, when authorized by the Executive Officer upon compliance with this Policy, destruction of agency records. Effective implementation of the policy will help to ensure accountable and accurate handling of agency records in a manner that provides for prompt retrieval while reducing storage requirements for inactive and outdated documents.

Benefits include:

- Reduce administrative expenses, expedite procedures
- Free filing cabinet and office space
- Reduce the cost of records storage
- Eliminate duplication of effort
- Find records faster
- Protection of records

III. Definitions

- A) **Computer Drives:** Computer drives, including network drives, USB drives, etc.; other than the Laserfiche repository.
- B) **Drafts:** Those records that are not retained for the purpose of preserving the informational content for future reference.¹
- C) **Electronic Document Management System (EDMS):** the Commission has purchased Laserfiche software as one of multiple systems for the purpose of preserving selected final versions of Official Records in a manner that complies with the Trustworthy Electronic Records laws.

¹ 64 Ops. Cal. Atty. Gen. 317 (1981)

- D) **Non-Record:** Published books and pamphlets printed by outside agencies.
- E) **Official Records:** Final versions of records which are made or retained for the purpose of preserving the informational content for future reference or documents defined in the agency's business practices.^{2, 3}
- F) **Records:** Any writing containing information relating to the conduct of the Commission's business that is prepared, owned, used, or retained, regardless of physical form or characteristics.⁴
- G) **Trustworthy Electronic Records:** Electronic records that can serve as the Official Records.⁵

IV. General Guidelines

- A) The Commission's Executive Officer shall be responsible for administering this policy to ensure the effective management, retention, and, as appropriate, destruction of records consistent with this policy and the attached Records Retention Schedule (Attachment A).
- B) The following general guidelines apply to all Commission records:
 - (1) **Copies, drafts, notes, or non-records** may be destroyed at any time without authorizations being obtained. This includes copies, drafts, notes, and non-records stored on computer drives.
 - (2) **Destruction of Official Records** that have exceeded their retention period (as provided for in the Records Retention Schedule (Attachment A)) shall be authorized according to policies and procedures prior to destroying them, using the "Authorization to Destroy Records" form (Attachment B), and obtaining all authorizations prior to the official record being destroyed.
 - (3) **Holds on Destruction:** Litigation, complaints, claims, public records act requests, audits, and/or investigations suspend normal retention periods, and records shall not be destroyed unless authorized by the Commission's attorney.
 - (4) **Repository for Trustworthy Electronic Records:** If an electronic record is to serve as the Commission's Official Record, it may be placed in the Laserfiche repository or the Commission's shared drive or the County of Napa's trustworthy record, and various legal requirements complied with. The record shall include all referenced attachments. All official records shall comply with Basic Legal Requirements.⁶

² 64 Ops. Cal. Atty. Gen. 317 (1981)

³ 2 CCR §22620.1 *et seq.*

⁴ Government Code §6252 through §6257

⁵ Government Code §56382, §12168.7, EVC §1550, 2 CCR §22620.1 *et seq.*

⁶ Government Code §56382, §12168.7, EVC §1550, 2 CCR §22620.1 *et seq.*



ATTACHMENT A

LOCAL AGENCY FORMATION COMMISSION NAPA COUNTY

Policy on Records Retention and Destruction (Last Amended: August 2, 2021)

Records Retention Schedule

| Record Type | Record Description (Non-Exclusive) | Retention: Original Record |
|---|--|-------------------------------|
| Administrative | | |
| Accounts Payable | invoices for purchase orders, reimbursements, services received | audited + 4 years |
| Accounts Receivable | invoices for applications, miscellaneous fees, services provided | audited + 4 years |
| Administrative Policies & Procedures | adopted guidelines, standards, requirements ¹ | superseded + 4 years |
| Audits | independent analyses of year-end financial statements | Permanent |
| Budgets | annual revenue and expense ledgers, adjustments, transfers | Permanent |
| Consultant Contracts | information services provided by contracted third parties | completion + 7 years |
| General Correspondence | communication with public and local agencies, including e-mails | 5 years |
| Oath of Office | commissioners' oaths of office taken at commencement of term | Permanent |
| Payroll | employee timesheets, leave balances, labor distribution reports ² | audited + 7 years |
| Personnel Files | employee applications, performance reviews, leave forms ³ | separation + 6 years |
| Personnel Files – Medical Files | pre-employment physical clearances, etc. | separation + 30 years |
| Public Member Recruitment | notice of vacancy, applications, appointments | current + 10 years |
| Public Records Requests | written requests to inspect or copy agency documents | current + 2 years |
| Requests for Proposals | written solicitation for consultant services ⁴ | current + 5 years |
| Statements of Economic Interest | FPPC Form 700 - disclosure of income/gifts ⁵ | current + 7 years |
| Vendor Agreements and Leases | third party equipment/facility services | completion + 5 years |
| Meetings | | |
| Affidavits | affirmations relating to postings and publications | 2 years |
| Agendas & Agenda Packets | staff reports and related documents for calendared meeting items | Permanent |
| Audio/Video Recordings | auditory and visual recordings of regular and special meetings | 2 years |
| Elections – Administration | correspondence, schedules, etc. | 2 years |
| Elections – Historical | Sample ballot, final results | Permanent |
| Mailing Lists | landowner and/or registered voter rolls tied to public hearings | 2 years |
| Minutes | summary of discussion/action for regular and special meetings | Permanent |
| Resolutions | records of adopted actions | Permanent |
| Regulatory Records | | |
| Agency Maps | jurisdictional boundaries, spheres of influence, service areas | Permanent |
| Change of Organization Proposals | application, petition, staff report, certificates, etc. ⁶ | Permanent |
| Change of Reorganization Proposals | application, petition, staff report, certificates, etc. ⁷ | Permanent |
| Outside Service Requests | application, staff report, environmental document ⁸ | Permanent |
| Related Correspondence | communication with public and local agencies including e-mails | 5 years |
| Planning Records | | |
| Municipal Service Reviews ⁹ | written report and supporting documentation | Permanent |
| Other Studies | written report and supporting documentation | Permanent |
| Sphere of Influence Updates ¹⁰ | written report and supporting documentation | Permanent |
| Related Correspondence | communication with public and local agencies including e-mails | 5 years |

Notes

¹ Records relating to administrative policies and procedures shall include documents that have been subsequently amended, superseded, or replaced.

^{2 / 3} : Commission currently contracts with the County of Napa for staff support services. Accordingly, the County's Auditor's Office and Human Resources Department independently retain payroll and personnel records, respectively, pursuant to their own records retention schedules.

⁴ : Records relating to requests for proposals include accepted and unaccepted bids, including proposal statements, bidder forms, data sheets, proof of insurance, and evaluation rankings.

⁵ : Government Code §81009 specifies statements of economic interest must be maintained a minimum of seven years; original statements can be stored on space-saving materials after two years.

^{6 / 7 / 8} : Records relating to change of organization proposals, change of reorganization proposals, and outside service requests include information generated or managed by LAFCO.

^{9 / 10} : The contents of municipal service reviews and sphere of influence updates shall include written reports and resolutions making determinations with respect to Government Code §56430 and §56425, respectively.

ATTACHMENT B

Date: _____

Department: LAFCO of Napa County

AUTHORIZATION TO DESTROY PAPER RECORDS

| Records Description (All records from LAFCO office) | Agency |
|---|--------|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |
| 7. | |
| 8. | |
| 9. | |
| 10. | |
| 11. | |
| 12. | |
| 13. | |
| 14. | |
| 15. | |

I certify the above Records are approved for destruction on an on-going (day-forward) basis, provided they comply with written policies and procedures approved by the Commission:

LAFCO Secretary/Clerk

Date

CHECK ONE OPTION FOR DESTRUCTION:

Shredding is required (Records contain private information) or Recycle (Records do NOT contain private info.)

THE PAPER VERSION OF THE ABOVE RECORDS ARE APPROVED FOR DESTRUCTION:

LAFCO Executive Officer

Date

(Complete after destruction has been performed, if done by employees).

I HEREBY CERTIFY that the items listed above have been destroyed in accordance with policies and procedures:

LAFCO Secretary/Clerk

Date