



## **LOCAL AGENCY FORMATION COMMISSION NAPA COUNTY**

### ***Policy on Records Retention and Destruction***

Adopted: August 1, 2011

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, pursuant to California (G.C.) Government Code Section 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.

#### **II. Purpose**

The intent of this policy is to provide guidance to Commission staff regarding the management, retention, and, if authorized, 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of agency records in a manner that provides for prompt retrieval while reducing storage requirements for inactive and outdated documents.

#### **III. Authorization for the Retention and Destruction of Documents**

- A) “Records” must be kept indefinitely in original, photographic, or electronic form pursuant to G.C. Section 56382. The Commission defines “LAFCO Records” in this policy under IV/E.
- B) Documents not herein defined as “LAFCO Records” are not “records” pursuant to G.C. Section 56382 and will be retained and disposed of according to the Records Retention Schedule provided as Attachment “A” to this policy.

#### **IV. Definitions**

- A) “Active Records” are documents that are less than two years old and/or currently open or regularly accessed, used, or referenced.
- B) “Administrative Records” include, but are not limited to, accounts payable/receivable, budgets, audits, payroll timesheets, policies, statements of economic interest, public member recruitment proceedings, consultant contracts, vendor agreements, and personnel files.
- C) “Digital Copy” refers to an original document that has been imported or exported for archival purposes into the Commission’s electronic document management system.

- D) “Inactive Records” are documents that are more than two years old and/or closed or no longer regularly accessed, used, or referenced, but still need to be retained for legal or practical purposes.
- E) “LAFCO Records” are defined as records that must be retained indefinitely in compliance with G.C. Section 56382 and include the following documents:
- a. Documents relating to change of organization or reorganization proposals, which include, but are not limited, to:
    - application, petition, or other initiating documents
    - justification of proposal
    - property tax exchange agreement
    - assessor’s statement of property valuation
    - indemnification agreement
    - certificate of filing
    - environmental review/CEQA documents
    - certificate of completion
    - map and boundary description
    - notices
    - order for change of organization/reorganization
    - staff report with recommendation
    - statement of boundary change
    - statement of tax rate area
  - b. LAFCO adopted resolutions
  - c. LAFCO approved meeting minutes
  - d. Documents relating to outside service requests
  - e. Adopted resolutions
  - f. Approved meeting minutes
  - g. Completed sphere of influence establishments and updates
  - h. Completed municipal service reviews
  - i. Commission policies
- F) “Meeting Records” include, but are not limited to, agendas, minutes, staff reports, resolutions, and audio and/or video recordings.
- G) “Planning Records” include, but are not limited to, municipal service reviews, sphere of influence updates, and related correspondence.
- H) “Record” or “Records” are defined to include any paper, electronic media, audio file, or other form of documentation that records or transmits information originated and/or managed by the Commission.

- I) “Records Retention Schedule” prescribes by type a plan for its management and life cycle and serves as the legal authorization for its disposition. A copy of the Records Retention Schedule is affixed to this policy as Attachment “A.”
- J) “Regulatory Records” include, but are not limited to, change of organization or reorganization files, outside service requests, boundary maps and descriptions, and related correspondence.

## **V. General Guidelines**

- A) The Commission’s Executive Officer is responsible for administering this policy to ensure the effective management, retention, and, as appropriate, destruction of records consistent with this policy and the Records Retention Schedule.
- B) The following general guidelines apply to all Commission records.
  - (1) The Commission authorizes the destruction of any duplicative active or inactive record at any time.
  - (2) Digital copies shall be made of all active and inactive records for retention, safeguarding, and public distribution within the Commission’s electronic document management system.
  - (3) Active records shall be retained in their original form for a period of no less than two years. Original documents may be destroyed after two years if a digital copy exists and it is consistent with the Records Retention Schedule.
  - (4) The Commission authorizes purging digital copies for inactive records if it is consistent with the Records Retention Schedule.
  - (5) Digital copies of the following records shall be indefinitely retained:
    - a. LAFCO Records as defined in this policy under IV/E.



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#### Attachment A Records Retention Schedule

Record Type	Record Description (Non-Exclusive)	Retention: Original Record	Retention: Digital Record
<b>Administrative</b>			
Accounts Payable	invoices for purchase orders, reimbursements, services received	audited + 4 years	none
Accounts Receivable	invoices for applications, miscellaneous fees, services provided	audited + 4 years	none
Administrative Policies & Procedures	adopted guidelines, standards, requirements <sup>1</sup>	current + 4 years	indefinite
Audits	independent analyses of year-end financial statements	5 years	indefinite
Budgets	annual revenue and expense ledgers, adjustments, transfers	5 years	indefinite
Consultant Contracts	information services provided by contracted third parties	completion + 2 years	completion + 5 years
General Correspondence	communication with public and local agencies, including e-mails	2 years	5 years
Oath of Office	commissioners' oaths of office taken at commencement of term	completion + 4 years	indefinite
Payroll	employee timesheets, leave balances, labor distribution reports <sup>2</sup>	audited + 2 years	audited + 5 years
Personnel Files	employee applications, performance reviews, leave forms <sup>3</sup>	leave + 3 years	leave + 5 years
Public Member Recruitment	notice of vacancy, applications, appointments	current + 2 years	current + 10 years
Public Records Requests	written requests to inspect or copy agency documents	current + 2 years	current + 2 years
Requests for Proposals	written solicitation for consultant services <sup>4</sup>	current + 2 years	current + 5 years
Statements of Economic Interest	disclosure of income/gifts/benefits for designated employees <sup>5</sup>	current + 2 years	current + 10 years
Vendor Agreements and Leases	third party equipment/facility services	completion + 2 years	completion + 5 years
<b>Meetings</b>			
Affidavits	affirmations relating to postings and publications	2 years	indefinite
Agendas	calendared meeting items	5 years	indefinite
Agenda Packets	staff reports and related documents for calendared meeting items	5 years	indefinite
Audio/Video Recordings	auditory and visual recordings of regular and special meetings	2 years	2 years
Elections	impartial analyses, conducting authority proceedings	2 years	5 years
Mailing Lists	landowner and/or registered voter rolls tied to public hearings	2 years	5 years
Minutes	summary of discussion/action for regular and special meetings	5 years	indefinite
Resolutions	records of adopted actions	5 years	indefinite
<b>Regulatory Records</b>			
Agency Maps	jurisdictional boundaries, spheres of influence, service areas	5 years	indefinite
Change of Organization Proposals	application, petition, staff report, certificates, etc. <sup>6</sup>	5 years	indefinite
Change of Reorganization Proposals	application, petition, staff report, certificates, etc. <sup>7</sup>	5 years	indefinite
Outside Service Requests	application, staff report, environmental document <sup>8</sup>	5 years	indefinite
Related Correspondence	communication with public and local agencies including e-mails	2 years	5 years
<b>Planning Records</b>			
Municipal Service Reviews <sup>9</sup>	written report and supporting documentation	7 years	indefinite
Other Studies	written report and supporting documentation	7 years	indefinite
Sphere of Influence Updates <sup>10</sup>	written report and supporting documentation	7 years	indefinite
Related Correspondence	communication with public and local agencies including e-mails	2 years	5 years

## Notes

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

<sup>2 / 3</sup> : 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.

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

<sup>5</sup> : Government Code Section 81009 specifies statements of economic interest must be maintained a minimum of seven years; original statements can be digitized after two years.

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

<sup>9 / 10</sup> : The contents of municipal service reviews and sphere of influence updates shall include written reports and resolutions making determinations with respect to Government Code Sections 56430 and 56425, respectively.

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