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Date	8/27/2009
Reso	09-23

Records Management Policy

1.0 PURPOSE

The purpose of the Santa Clara County Open Space Authority Records Management Policy is to promote efficient management in the creation, retrieval, organization, maintenance, retention, use, disposition and disaster recovery of official Authority records. Records management preserves valuable historical records for the benefit of education and research, and provides necessary retention periods for fiscal, legal and administrative records.

2.0 REVISION HISTORY

Date	Revision	Modification
8/27/2009	00	New policy

3.0 PERSONS AFFECTED/RESPONSIBLE

- This policy applies to all employees.

4.0 POLICY

This policy will adhere to the provisions of California Government Code §§60200 through 60204, California Government Code §6250, et seq. (California Public Records Act), and other federal and state laws, if applicable.

All official records (paper, microform, electronic, or any other media) will be retained for the minimum periods stated in the Records Retention Schedule as approved by the Board of Directors.

The General Manager is authorized by the Board of Directors to implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below. Board of Directors' approval is required prior to the destruction of official records.

4.1 Records Retention Schedule

The Records Retention Schedule provides a categorized list of official records and required periods of retention for those records. The schedule may be revised periodically to include new record types, to change retention periods, or to delete a record series no longer useful. The retention schedule is not intended to be a permanently fixed document, but flexible in nature to accommodate legal, administrative, or fiscal policy changes. Board approval is required for any such revisions.

All records are to be kept for the minimum retention periods stated in the Records Retention Schedule. Notwithstanding such minimum retention periods, records must be maintained until required audits involving those records are completed, and relevant records should be retained beyond the listed retention periods when litigation is initiated prior to expiration of the retention periods or where litigation is reasonably anticipated either involving those relevant records or requiring their use.

Documents may be maintained for the prescribed minimum retention periods in electronic format. Official records kept only in electronic format must be identified in the Records Retention Schedule as such.

In most cases, records not addressed in the Record Retention Schedule should be considered routine in nature and are to be identified as General Information under a specific record series. Retention for those files is two (2) years unless otherwise required by law.

Transitory correspondence files, consisting of correspondence, routine transactions, memoranda or e-mails holding no administrative, fiscal, historical or legal value should not be filed in working files. Examples of transitory documents may be, but are not limited to transmittal letters, forms, e-mails, requests for routine information or publications, announcements, and other documents not requiring action by the receiving office.

Documents that are not transitory in nature, not addressed in this schedule, and for which there are legal requirements or the record is essential either for legal,

historical, fiscal or administrative value, shall have a record series number and title assigned to them and added to the retention schedule.

4.2 Electronic Files

4.2.1 Email

Authority e-mail and e-mail systems are intended to be a medium of communication. Authority e-mail systems are not intended to be and may not be used for the electronic storage or maintenance of Authority records. The email system, to function as intended, anticipates or requires that employees regularly delete communications from the system.

E-mail messages and attachments comparable to hard copy documents that would be retained under this policy should be retained as follows: The document must be categorized in the appropriate record series and converted to the appropriate electronic format or printed in hard copy and retained for the required time period as outlined in the Open Space Authority Records Retention Schedule.

Routine e-mail messages comparable to telephonic communications are non-records. They are not intended to be retained in the ordinary course of Authority business, and the informational content of such communications is neither necessary nor intended to be preserved for future Authority use or reference. Each user will have the responsibility to remove such non-records from folders within the Authority's electronic mail system on a rolling sixty-day schedule. This includes items in "received" and "sent" folders as well as any folders set up by individual users. However, where litigation is initiated prior to removal of relevant non-records, or where litigation is reasonably anticipated involving relevant non-records, these non-records should be preserved.

This policy does not prohibit employees from maintaining temporary working files or folders to allow for quick reference to recent e-mails.

4.2.2 Databases

Databases consist of electronic files and fields of data that provide useful information to the Authority. For records retention purposes, a database is an official record of the Authority. The retention period is established as "Current (C)" to reflect that only the current version needs to be maintained.

4.2.3 Word Processing Files

Many Authority documents are prepared using word processing programs. For records retention purposes, only the final approved record should be considered an official Authority document. Successive drafts, revisions, original notes and recorded media from dictation are non-records or work-in-progress and should be destroyed in a relatively short period of time after the final draft has been accepted.

4.3 Destruction

A record may not be destroyed if any litigation, claim negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period for the record series in the approved Records Retention Schedule, or where in the judgment of Authority staff litigation is reasonably anticipated. Otherwise, records may be destroyed in accordance with the approved retention periods shown in the Records Retention Schedule.

For destruction of official records, documentation of destruction is required. The *Records Destruction Request Form (ADM-55)* is to be completed by the requestor and must be approved by the Board of Directors prior to destruction. This form serves as a permanent record, and would be utilized in any legal proceedings as evidence of proper destruction.

California Government Code Section 60203 sets forth that if a record is not expressly required by law to be filed and preserved and it can be produced electronically, the original may be destroyed.

5.0 DEFINITIONS

- **Active Records** – Records that are referred to at least once a month per cubic foot of records. Also – As a retention period for a Perpetual Record that remains "active" until some event occurs to change its status, at which time it has fulfilled its function.
- **Accounting Records** -- Include but are not limited to:
 - a. SOURCE DOCUMENTS
 - (1) Invoices
 - (2) Warrants
 - (3) Requisitions/Purchase Orders (attached to invoices)

- (4) Cash Receipts
- (5) Claims (attached to warrants in place of invoices)
- (6) Bank Statements
- (7) Bank Deposits
- (8) Checks
- (9) Bills

b. JOURNALS

- (1) Cash Receipts
- (2) Accounts Receivable or Payable Register
- (3) Check or Warrant (payables)
- (4) General Journal
- (5) Payroll Journal

c. LEDGERS

- (1) Expenditure
- (2) Revenue
- (3) Accounts Payable or Receivable Ledger
- (4) Construction
- (5) General Ledger
- (6) Assets/Depreciation

d. TRIAL BALANCE

e. STATEMENTS (Interim or Certified - Individual or All Fund)

- (1) Balance Sheet
- (2) Analysis of Changes in Available Fund Balance
- (3) Cash Receipts and Disbursements
- (4) Inventory of Fixed Assets (Purchasing)

f. JOURNAL ENTRIES

g. PAYROLL AND PERSONNEL RECORDS: include but are not limited to:

- (1) Accident reports, injury claims and settlements
- (2) Applications, changes or terminations of employees
- (3) Earnings records and summaries
- (4) Fidelity Bonds
- (5) Garnishments
- (6) Insurance records of employees
- (7) Job Descriptions
- (8) Medical Histories

- (9) Retirements
- (10) Time Sheets

h. OTHER

- (1) Inventory Records (Purchasing)
- (2) Capital Asset Records (Purchasing)
- (3) Depreciation Schedule
- (4) Cost Accounting Records

- **Administrative Records** – Records commonly found in all offices and used in the conduct of daily business. These are typically retained for short time periods. Examples include subject, chronological, work plans, and policy files.
- **Archival Records** -- Records with enduring value because they reflect significant historical events, document the history and development of an agency, or provide valuable research data.
- **Damaged Records** -- Records that have been damaged by water, fire, and other forms of contamination during natural and man-made disasters. Dependent on the severity of the damage, records may be recovered or may need to be declared unrecoverable and destroyed.
- **Inactive Records** – Records that are accessed an average of less than once per month, but that have not completed their full retention period. These records may be stored in a separate location from active files.
- **Local Government** – Government Code, Section 6252 states: "'Local Agency' includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or nonprofit entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Government Code, Section 54952."
- **Non-Records** – Materials not kept in the ordinary course of business, such as transitory documents, voicemail, e-mail, unofficial copies of documents kept only for convenience or reference, working papers, stocks of publications and blank forms, and library or museum material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents.
- **Permanent Records** – Records that are required to be kept in perpetuity, usually identified by statute or other written guidance. Examples include original minutes, ordinances, resolutions, land grant deeds, etc.

- **Program Records** -- Records that relate to the primary function of the agency in response to its daily mission. Examples include lien files, recorders files, election files, probate records, medical records, etc.
- **Records** – Any writing, including all papers, maps, exhibits, electronic media, tapes, photographs and other documents, containing information relating to the conduct of the public's business prepared, owned, used, or retained by the Authority, regardless of physical form or characteristics, and kept in the ordinary course of business.
- **Records Destruction Request** – Form used to attain approval for destruction of official records.
- **Records Manager** -- The employee charged with managing and maintaining the Authority's records management program.
- **Records Retention Schedule** -- A list of all records produced or maintained by an agency and the actions taken with regards to those records. A retention schedule is an agency's legal authority to receive, create, retain, and dispose of official public records. It assists the agency by documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal, historical, or legal value.
- **Retention Period** – The length of time a record must be retained to fulfill its administrative, fiscal historical and/or legal function. Then a record should be disposed of as soon as possible in accordance with an approved Records Retention Schedule.
- **Vital Records** – records required for daily operations and to resume those operations after a disaster. Records which, because of the information they contain, are essential to one or all of the following:
 - a. The resumption and/or continuation of operations;
 - b. The recreation of legal and financial status of the District, in case of a disaster;
 - c. The fulfillment of obligations to bondholders, customers, and employees.

Vital records include but are not limited to the following:

- 1) Agreements
- 2) Annexations and detachments
- 3) As-built drawings
- 4) Audits
- 5) Contract drawings

- 6) Deeds
- 7) Depreciation schedule
- 8) Disposal of surplus & excess property
- 9) Insurance records
- 10) Employee accident reports, injury claims & settlements
- 11) Employee earning records
- 12) Employee insurance records
- 13) Encroachment permits (by others)
- 14) Facility improvement plans
- 15) Inventory
- 16) Journal vouchers
- 17) Ledgers
- 18) Licenses & permits (to operate)
- 19) Loans & grants
- 20) Maps
- 21) Minutes of Board meetings
- 22) Payroll register
- 23) Policies, Rules & Regulations
- 24) Purchase orders & requisitions
- 25) Resolutions Approved by the Board
- 26) Rights of ways & easements
- 27) Spray permits
- 28) Statements of Economic Interest
- 29) Acquisition history
- 30) Land dedication history

6.0 RESPONSIBILITIES

- 6.1 Board of Directors approval is required for any amendments and updates to the Records Management Policy and the Records Retention Schedule. Board approval is also required for all requests for destruction of official records submitted by staff on the Records Destruction Request Form.
- 6.2 The General Manager directs the coordination and management of all official records.

7.0 PROCEDURES

Not Applicable

Santa Clara County Open Space Authority

RESOLUTION 09-23

**RESOLUTION OF THE GOVERNING BOARD OF
THE SANTA CLARA COUNTY OPEN SPACE AUTHORITY,
APPROVING THE RECORDS MANAGEMENT POLICY AND RECORDS
RETENTION SCHEDULE**

WHEREAS, the Board of Directors of the Santa Clara County Open Space Authority wishes to codify the agency's policy on records management;

WHEREAS, Open Space Authority staff has drafted a Records Management Policy and Records Retention Schedule in accordance with applicable sections of the California Government Code;

WHEREAS, the Open Space Authority Administration and Budget Committee, Office Manager, and Legal Counsel have reviewed the proposed policy and schedule; and

NOW, THEREFORE, BE IT RESOLVED, the Board of the Authority hereby adopts the Open Space Authority's Records Management Policy and the Records Retention Schedule in the form attached hereto.

BE IT FURTHER RESOLVED, that the Board further directs that the General Manager is hereby authorized and directed, on behalf of the Authority and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

PASSED, APPROVED AND ADOPTED this 27th day of August, 2009 by the following vote:

AYES: A. Kennett, J. Foran, G. Annable, V. Holtz, M. Potter, K. Gill
NOES: None
ABSENT: S. Hall



M. Potter, Chairperson
Santa Clara County Open Space Authority



APPROVED AS TO FORM:


William Parkin, Legal Counsel

ATTEST:


Lauren Crook, Clerk of the Board