

SANTA YNEZ COMMUNITY SERVICES DISTRICT
MEMORANDUM

TO: Board of Directors

FROM: Loch Dreizler, General Manager
Alicia Marin, Office Manager

DATE: March 20, 2024

SUBJECT: Record Retention Policy Review and Discussion

Recommendation / Proposed Motion

- Recommendation: Review the list of Records for Destruction based on the District Record Retention Policy
- Proposed Motion(s): Approve the destruction of district records as indicated in Table 1 below.

Alternatives Considered

None

Policy Reference

Under Resolution 06-08, Directors established a Records Retention policy and schedule. Certain records have been identified as eligible for destruction.

Fiscal Implications

No Direct Fiscal Implications

Background

Record management aims to ensure that information is available when needed. Records must be identified, organized, maintained for years, and documented when destroyed. Records management encompasses all the record-keeping requirements that allow an organization to establish and maintain control over information flow and administrative operations. It seeks to control and manage records throughout their life cycle, from creation to final disposition.

Discussion

Tonight, we only seek approval to destroy district records, as indicated in Table 1 on the following page, in compliance with existing policy. However, we would like additional board direction about retaining the board meeting recordings - currently defined in our policy as the current year + 3 months. However, The Brown Act provides that *any audio or video recording of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection according to the California Public Records Act, but, notwithstanding Section 34090, may be erased or destroyed 30 days after the recording. Any audio or video recording inspection shall be provided without charge on equipment made available by the local agency - Gov't Code section 54953.5(b).*

Staff recommends waiting 30 days after the recording plus after the Board approves meeting minutes. If necessary, this topic could be agendized for a future meeting.

Table 1 - Records for Destruction

Department	Year	Shred or Erase	Description
Financial Records	2015-2016	2022	Bank reconciliations
Financial Records	2016-2017	2020-2022	Accounts Payable/Receivable & Journal Entries
Financial Records	2017-2018	2023	Accounts Payable and Accounts Receivable files
Financial Records	2018-2019	2022	Accounts Payable
Administrative	Thru 12/2022	03/2024	Recordings of district meetings
Employment Records	2014-2015	2022	Employee timesheets
Employment Records	2015	2018	2015 Collections operator applications

Attachment(s):

1. Resolution 06-08 – Records Retention

RESOLUTION NO. 06-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA YNEZ COMMUNITY SERVICES DISTRICT
ADOPTING REVISED RECORDS RETENTION POLICY
AND REPEALING RESOLUTION NO. 04-15

WHEREAS, on July 21, 2004, the Santa Ynez Community Services District (the "District") adopted Resolution No. 04-15, setting forth a policy and schedule for retention and destruction of District records (the "2004 Policy"). The 2004 Policy was adopted pursuant to Sections 60200 through 60203 of the Government Code of the State of California (the "Code"), which governs the destruction or disposition of public records, including the records of the District.

WHEREAS, subsequent to the District's adoption of the 2004 Policy, the California Legislature enacted Assembly Bill 474 making substantive amendments to Sections 60201 through 60203 of the Code.

WHEREAS, amended Code Section 60201 authorizes special districts to adapt a records retention schedule that complies with the Local Government Records Management Guidelines issued by the California Secretary of State pursuant to Code Section 12236.

WHEREAS, the District's Board of Directors finds it timely and necessary to update the 2004 Policy in response to the Legislature's amendments to Code Sections 60201 through 60203.

WHEREAS, the District has determined that the repeal of the 2004 Policy and the adoption of an updated records retention policy and records retention schedule will enable the District to comply with the provisions of the amended Code Sections 60201 through 60203.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District as follows:

Section 1. The records of the District are hereby authorized to be destroyed as provided by Sections 60200 through 60203 of the Code and in accordance with the Records Retention Schedule attached hereto as Exhibit A and incorporated by this reference, upon the request of the General Manager without further action by the Board of Directors of the District.

Section 2. As provided in Code Section 60201(b)(2), the Records Retention Schedule complies with the Local Government Records Management Guidelines issued by the California Secretary of State pursuant to Code Section 12236.

Section 3. Records not mentioned in this Resolution shall be disposed of in compliance with the Local Government Records Management Guidelines issued by the California Secretary of State pursuant to Code Section 12236.

Section 4. Notwithstanding the provisions of Section 1 above or any other provision of law, pursuant to Code Section 60201(d) the District may not destroy or dispose of any record that is any of the following:

- a. Relates to formation, change of organization, or reorganization of the District;
- b. An ordinance adopted by the District. However, an ordinance that has been repealed or is otherwise invalid or unenforceable may be destroyed or disposed of five years after it was repealed or became invalid or unenforceable;
- c. Minutes of any meeting of the Board of Directors of the District;
- d. Relates to any pending claim or litigation or any settlement or other disposition of litigation within the past two years;
- e. Is the subject of any pending request made pursuant to the California Public Records Act (Chapter 3.5, Division 7, Title 1, commencing with Section 6250 of the Code), whether or not the District maintains that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the District provided written notice to the requester that the request has been denied;
- f. Relates to any pending construction that the District has not accepted or as to which a stop notice claim legally may be presented;
- g. Relates to the title to real property in which the District has an interest;
- h. Relates to any nondischarged contract to which the District is a party;
- i. Has not fulfilled the administrative, fiscal, or legal purpose for which it was created or received;
- j. Is an unaccepted bid or proposal, which is less than two years old, for the construction or installation of any building, structure, or other public work;
- k. Specifies the amount of compensation paid to District employees or to independent contractors providing personal or professional services to the District, or relates to expense reimbursement to District officers or employees or to the use of District paid credit cards or any travel compensation mechanism. However, a record described in this paragraph may be destroyed or disposed of pursuant to Section 60201 of the Code seven years after the date of payment; and

- I. Any other records required by law to be filed and preserved.

Section 5. Notwithstanding the provisions of Section 1 above, the District may, pursuant to Code Section 60203, authorize the destruction of any record, paper, or document that is not expressly required by law to be filed and preserved if all of the following conditions are complied with:

- a. The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document in compliance with Code Section 12168.7 for recording of permanent records or nonpermanent records.
- b. The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one that accurately reproduces the original thereof in all details and that does not permit additions, deletions, or changes to the original document images.
- c. The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium are placed in conveniently accessible files and provision is made for preserving, examining, and using the files.

Section 6. For the purposes of Section 5 above, every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

Section 7. Notwithstanding the provisions of Section 1 above, the duplicates of records that are no longer needed are hereby authorized, pursuant to Code Section 60200, to be destroyed provided that the original or a permanent photographic record of the original is retained by the District for the period required by the Records Retention Schedule or as specified in Section 4 above.

Section 8. The destruction of any records as provided for herein shall be by burning, shredding or other effective method of destruction and said method of destruction shall be authorized by the General Manager.

Section 9. As provided in Code Section 60201(a), the term "records" as used herein shall consist of any "writing" defined within Code Section 6252(f), including any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

Section 10. District Resolution No. 04-15 is hereby repealed in its entirety.

PASSED AND ADOPTED on June 21, 2006 by the following vote of the Board of Directors of the Santa Ynez Community Services District:

AYES: MALER, MOEHLE, BEATTIE, SEYMOUR, HIGGINS

NOES:

ABSENT:



Carl Maler, Board President

ATTEST:



Michelle Campbell, Board Secretary

G:\14751\0053\DOCS\AT4894.DOC

Exhibit A
SANTA YNEZ COMMUNITY SERVICES DISTRICT
Records Retention Schedule

Document Title	Retention Period	Records Management Guidelines Page Reference (2/06 Version)	Comments
<i>Financial Records</i>			
Independent Auditors Report	Permanent	C-30	
Budgets	Permanent	C-17; C-29	
Bonds	Closed/Completion + 10 Years	C-17; C-31	
General Ledger	Permanent	C-29	
Investment Transactions	Permanent	C-30	
State Controller's Annual Report	Permanent	C-30	
Accounts Receivables	Audit + 4 Years	C-29	
Bank Reconciliations	Audit + 5 Years	C-29	
Billing Records	Audit + 2 Years	C-29	
Budget Adjustments	Audit + 2 Years	C-29	
Canceled & Voided Checks	Audit + 5 Years	C-29	
Deposits/Receipts	Audit + 4 Years	C-29	
Accounting Journals	Permanent	C-29	If "Utility Billing" Journal, then Current Year + 2 Years; if "Budget Adjustments, Journal Entries," then Audit + 2 Years; otherwise, default is permanent, due to lack of "Accounting Journals" category.

Invoices	Audit + 2 Years	C-29	
Inventory	Audit + 4 Years	C-29	
<i>Administrative</i>			
Agenda Reports	Current Year + 2 Years	C-22	
Minutes	Permanent	C-23	
Recording Tapes	Current Year + 3 Months	C-23	
Ordinances/Resolutions	Permanent	C-23	
Formation Records	Permanent	C-22	“Articles of Incorporation” used as reference.
<i>Employment Records</i>			
Insurance Records - Worker’s Compensation	Permanent	C-24	
Employee Personnel Records (Copies)	Current Year + 2 Years	C-21	Attendance, evaluations, drafts, worksheets, postings.
Payroll Register	Permanent	C-30	
Payroll- Federal/State Reports (Records of Deductions)	Termination + 4 Years	C-30	
Employee Time Sheets	Audit + 6 Years	C-30	
Disability Claims	Permanent	C-20	
Disability Records	Permanent	C-20	
Recruitment	Closed/Completion + 3 Years	C-21	Includes applications and interview information.
Accident Reports (City Assets)	Closed/Completion + 7 Years	C-24	
Claims/Damage	Closed/Completion + 5 Years	C-24	

Incident Reports	Closed/Completion + 7 Years	C-24	
Employee Handbook	Superseded + 2 Years	C-20	
Pension Plan	Permanent	C-21	Treated as "PERS, Social Security, SSI" records, due to lack of "Pension Plan" category.
Training Records (Safety)	Closed/Completion + 2 Years	C-21	
Training Records (Non-Safety)	Closed/Completion + 7 Years	C-21	
Training Manuals	Closed/Completion + 7 Years	C-21	
Commercial Training Materials	Closed/Completion + 7 Years	C-21	Treated as "Training Manuals," due to lack of "Commercial Training Materials" category.
<i>Contracts</i>			
Contracts and Agreements (Excluding Capital Improvements)	Termination + 5 Years	C-22	Includes leases, equipment, services, or supplies.
Contracts and Agreements (Including Capital Improvements)	Permanent	C-22	Construction.
Construction Records	Permanent	C-26	
Grants (Federal and State)	Closed/Completion + 7 Years	C-19	
Grants (Community and Urban Development)	Closed/Completion + 4 Years	C-19	
<i>Property</i>			
Vehicle Ownership and Title	Life	C-29	

Deeds and Easements	Permanent	C-28	
Plans and Specifications (Approved Construction)	Permanent	C-26	
Plans and Specifications (Submitted By Contractors With Permit Applications)	Closed/Completion + 2 Years	C-26	
<i>Miscellaneous</i>			
Sewer Code	Permanent	C-23	Treated as "Municipal Code," due to lack of "Sewer Code" category.
Certificates of Election	Termination + 4 Years	C-17	
Statement of Economic Interest (Elected Officials)	Termination + 7 Years	C-18	
Oaths of Office	Termination + 6 Years	C-18	
Sewer Permits (Construction)	Permanent	C-26	
Sewer Permits (Other)	Closed/Completion + 2 Years	C-26	
County Assessor Maps	Permanent	C-26	
Wastewater Capacity/Flow Data	Permanent	C-45	Treated as "Hydrograph," due to lack of "Wastewater Capacity/Flow Data" category.
Insurance Records – General Liability, Property	Permanent	C-24	
Legal Opinions (confidential)	Superseded + 2 Years	C-23	

Public Notices/Legal Publications	Closed/Completion + 4 Years	C-23	Contain lasting administrative and legal value.
Unaccepted Bids	Closed/Completion + 2 Years	C-25	
Board of Director Applications (Not Accepted)	Closed/Completion + 2 Years	C-22	
Board of Director Applications (Accepted)	Termination + 5 Years	C-22	
Surplus Property Lists (Auction)	Audit + 2 Years	C-29	
Surplus Property Lists (Disposal)	Audit + 4 Years	C-29	
Public Records Requests	Closed/Completion + 2 Years	C-23	