

Agenda Date: June 20, 2013
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Continued Item: No

Board Agenda Item

TO: Air Pollution Control District Board

FROM: Dave Van Mullem, Air Pollution Control Officer

CONTACT: Sara Hunt, Executive Secretary/Board Clerk (961-8853)

SUBJECT: District Records Retention Policy

RECOMMENDATION:

That the Board adopt the attached Resolution that adopts revisions to the District Records Retention Policy.

DISCUSSION:

The District Board adopted the District Records Retention Policy in 1998 and it is reviewed and evaluated every three years. This Policy was modeled after a records retention policy originally adopted by the County and allows for the periodic destruction of records whose destruction does not adversely affect any District or public purpose.

State law authorizes the destruction of certain records. In particular, on a case by case basis, the legislative body of a district may authorize the destruction of certain records where such destruction will not adversely affect any interest of the district or of the public. (Gov. Code § 60201(b)(1)(A).) Where the legislative body authorizes the destruction of records, the agency is required to maintain a list, by category, of the types of records destroyed or disposed of that reasonably identifies the information contained in the records in each category. (See Gov. Code §60201(b).)

State law also allows the legislative body of a district to authorize the destruction of records pursuant to a record retention schedule. (Gov. Code § 60201(b).) The legislative body may not authorize the destruction of any record identified in Government Code section 60201(d), including records of the minutes of meetings of the legislative body, pending claims, non-discharged debt, title to real property and other records specified therein. The attached District Records Retention Policy includes citations to other statutes and regulations that require specific

retention periods for identified categories of records. Consistent with such restrictions, state law allows for the destruction of district records where such destruction does not adversely affect any district or public purpose.

District staff has worked extensively with County Counsel to update the District Records Retention Policy to ensure that all records that are required to be maintained will be maintained while also providing for the destruction of records whose destruction does not adversely affect any district or public purpose. The recommended District Records Retention Policy as revised is attached to the Resolution that accompanies this Staff Report.

Therefore, it is recommended that the Board adopt the attached Resolution that adopts revisions to the District Records Retention Policy.

ATTACHMENTS (2):

- 1) Resolution
- 2) Revised District Records Retention Policy