

## CHAPTER X. RECORDS RETENTION POLICY

### X.1 INTRODUCTION

Records must be kept indefinitely in original, photographic, or electronic form pursuant to Government Code §56382.

The Commission authorizes the destruction of original records more than two years old, if a photographic or electronic copy of the original record is made and preserved in compliance with Government Code §56382, which shall be considered permanently retained pursuant to the Records Retention Schedule. Documents that are not herein defined as “records” are not “records” pursuant to Government Code §56382 and will be retained and disposed of according to the Records Retention Schedule in **Exhibit A**.

For purposes of compliance with Government Code §56382 and implementation of the Commission’s Records Retention Schedule as set forth in **Exhibit A**, “records” include the following:

- Santa Clara LAFCO Meeting Minutes
- Santa Clara LAFCO Resolutions
- Documents related to Santa Clara LAFCO proposals such as the:
  - Application, petition or other initiating documents
  - Assessor’s Statement of Property Valuation
  - Agreement to Pay / Indemnification
  - Certificate of Completion
  - Certificate of Filing
  - Environmental Review/CEQA documents such as Initial Study, Exemptions, Notices of Completion and Determination, Comments and Response to Comments, Negative Declaration, mitigation monitoring, Statements of Overriding Consideration
  - Map and Legal Description
  - Notices
  - Order for Change of Organization
  - Staff Reports
  - Statement of Boundary Change
  - Statement of Tax Rate Area

# EXHIBIT A

## RECORDS RETENTION SCHEDULE

TYPE OF RECORD/ DOCUMENT	DESCRIPTION OR EXAMPLE OF RECORD/DOCUMENT	LEGAL AUTHORITY	MINIMUM LEGAL RETENTION PERIOD
<b>ADMINISTRATIVE DOCUMENTS</b>			
<b>Accounts Payable</b>	Invoices and back-up documents, purchase orders, travel expense reimbursements, petty cash, postage, check requests, receipt books, etc.	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Guidelines recommendation	Until audited + 4 years
<b>Accounts Receivable</b>	Invoices, checks, reports, investments, receipt books	26 CFR 31.6001-1(e)(2)	Until audited + 4 years
<b>Agreements/ Contract</b>	Original contracts and agreements and back-up materials, including leases, rentals and any amendments	CCP 337 CCP 337.2	4 years after termination/ completion
<b>Annual Reports</b>		GC 34090; CCP 337; CCP 343; Sec. of State Local Gov't. Records Retention Guidelines	Current + 4 years
<b>Audit Reports</b>	Financial services; internal and/or external reports; independent auditor analyses	GC 34090; CCP 337; CCP 343; Sec. of State Local Gov't. Records Retention Guidelines	Current + 4 years
<b>Brochures/ Publications</b>			2 years or longer for historical value

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<b>Budget, Annual</b>	Adjustments, journal entries, account transfers, budget preparation documents including adopted budgets		Until audited + 2 years
<b>Claims Against the Commission</b>	Paid/denied		Until settled + 2 years
<b>Correspondence (General)</b>	General correspondence, including letters, and various files not otherwise specifically covered by the retention schedule; compliments, complaints and inquiries; transmittal letters; requests for comments and responses	GC 26202	2 years
<b>Economic Interest Statements - Form 700 (copies)</b>	Copies of statements forwarded to Fair Political Practices Commission	GC 81009(f), (g)	4 years (can image after 2 years)
<b>Economic Interest Statements - Form 700 (originals)</b>	Originals of statements of designated employees	GC 81009(c), (g)	7 years (can image after 2 years)

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<b>Email</b>	General correspondence	GC 26202	2 years
<b>Ethics Training Compliance</b>	Note: records should contain date of training and name of training provider	GC 53235.2	5 years after receipt of training
<b>Forms</b>	Administrative - blank		Until superseded
<b>General Ledgers</b>	All annual financial summaries	CCP 337 Sec. of State Local Gov't. Records Retention Guidelines	Permanent
<b>Gifts/Bequests</b>	Receipts or other documentation		Until completed + 2 years

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<b>Grants Federal, State, or other grants</b>	Grants documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, grant documents, inventory, consolidated plan, etc.	24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
<b>Grants – Unsuccessful</b>	Applications not entitled		2 years
<b>Newsletters</b>	May wish to retain permanently for historic reference		2 years
<b>Political Support or Opposition</b>	Related to legislation		2 years
<b>Press Releases</b>	Related to Commission actions/activities		2 years
<b>Procedure Manuals</b>	Administrative		Current + 2 years
<b>Public Records Request</b>	Requests from the public to inspect or copy public documents		2 years
<b>Purchasing, Requisitions, Purchase Orders</b>	Original documents	CCP 337	Until audited + 4 years
<b>Recruitments and Selection</b>	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years

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<b>Requests for Qualifications (RFQs) and Requests for Proposals (RFPs)</b>	Requests for Qualifications, Requests for Proposals, and related responses	CCP 337	Current + 4 years
<b>RECORDS RELATING TO LAFCO MEETINGS OR APPLICATIONS</b>			
<b>Affidavits of Publication/Posting</b>	Proof of publication of legal notices for public hearings		2 years
<b>Agenda / Agenda Packets</b>	Agendas, agenda packets, staff reports and related attachments, supplemental items and documentation submitted by staff/public in relation to agenda items.		2 years
<b>Audio Recording of LAFCO Meetings</b>			30 days after the LAFCO meeting minutes are approved
<b>Elections</b>	Impartial analysis		2 years
<b>Environmental Review (for projects without a LAFCO application)</b>	Correspondence, consultants, issues, comments and responses.		Completion + 2 years
<b>Mailing Lists for Public Hearing Notices</b>	Owners/voter		1 year after filing Notice of Completion or Commission action, whichever is later

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<b>Minutes</b>	Meeting minutes		Permanent
<b>Notices /Agenda</b>	Regular and Special meetings		2 years
<b>Policies &amp; Procedures</b>	All policies and procedures adopted by the Commission		Current + 2 years
<b>LAFCO Proposals- Annexations, Reorganizations, or other proposals</b>	Application, petition or other initiating documents, Assessor's Statement of Property Valuation, Agreement to Pay / indemnification, Certificate of Completion, Environmental Review / CEQA documents (such as Initial Study, Exemptions, Notices of Completion and Determination, Comments and Response to Comments, Negative Declaration, mitigation monitoring, Statements of Overriding Consideration), Map and Legal Description, Notices, Order for Change of Organization, Staff Reports, Statement of Boundary Change, Statement of Tax Rate Area		Permanent
<b>Resolutions</b>			Permanent
<b>OTHER MISC. RECORDS/DOCUMENTS</b>			
<b>Demographic/ Statistical Data</b>			Current + 2 years
<b>Legal Opinions</b>	Confidential - not for public disclosure (attorney-client privilege)		Until superseded + 2 years

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<b>Litigation</b>	Case files, including matters in mediation and/or arbitration		Until settled or adjudicated + 2 years and the time for appeal has expired
<b>Reference Files</b>	Reports, procedures, research, pre-application research and correspondence		2 years minimum, recommended longer if useful