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Special District Member

**Carol Moore**  
City Member

**Lou Penrose**  
Public Member

**VACANT**  
County Member

**STAFF**

**Carolyn Emery**  
Executive Officer

**Scott Smith**  
General Counsel

**MEETING DATE:** March 13, 2024

**TO:** Local Agency Formation Commission  
of Orange County

**FROM:** Executive Officer  
Office Manager/Commission Clerk  
General Counsel

**SUBJECT:** OC LAFCO California Public Records Act and Records  
Retention and Destruction Policies and Procedures

**BACKGROUND**

OC LAFCO staff, in collaboration with general counsel, performs an annual review of the agency’s California Public Records Act (CPRA) and Records Destruction and Retention Policies. The CPRA and the Records Destruction and Retention Policies were originally adopted in 1979 and 2006, respectively, and have experienced revisions since that time to conform with State law. This report includes recommended administrative amendments to the policies indicated in redline format in Attachments 1 and 2 and briefly summarized in the table below.

**Table 1: Summary of Proposed Amendments**

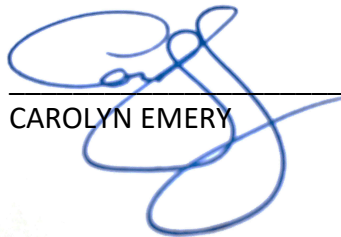
| Policy                                   | Pages | Summary of Changes  |
|--|-------|---|
| <b>California Public Records Act</b>     | 1-5   | Updated with administrative corrections.  |
| <b>Records Retention and Destruction</b> | 1-25  | Updated language to conform with State law; completed administrative corrections to clarify procedures for destruction of obsolete records. |

**RECOMMENDED ACTION:**

Staff recommends the Commission:

1. Adopt the California Public Records Act Policy, as amended.
2. Adopt the Records Retention and Destruction Policy, as amended.

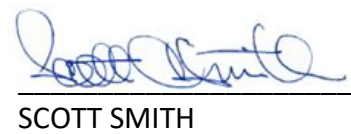
Respectfully submitted,



CAROLYN EMERY



CHERYL CARTER-BENJAMIN



SCOTT SMITH

Attachments:

1. OC LAFCO California Public Records Act Policy (Redline)
2. OC LAFCO California Public Records Act Policy (As Amended)
3. OC LAFCO Records Retention and Destruction Policy (Redline)
4. OC LAFCO Records Retention and Destruction Policy (As Amended)

**Orange County Local Agency Formation Commission**  
**Policy for Inspection and Copying of Public Records** **California Public Records Act**  
**Policy**

**I. POLICY**

This policy sets forth the procedures of the Orange County Local Agency Formation Commission (OC LAFCO) for handling California Public Records Act (“CPRA”) requests~~for inspection and/or copying of public records pursuant to .~~ ~~It is designed to follow the California Public Records Act (Government Code §Section 7920.000 et seq.)~~ and all existing laws and regulations pertaining to disclosure of public records. If any provision of this policy conflicts with current state or federal law, the law shall take precedence.

It shall be the policy of OC LAFCO to allow members of the public to inspect and/or receive copies of any records maintained in the Commission’s office or OC LAFCO-related records housed in the Orange County Records Center, unless such records are restricted by federal or state law, or other regulations.

**II. LEGAL AUTHORITY**

This policy is authorized under Government Code §Section 7922.630 which provides: “Every agency may adopt regulations stating the procedures to be followed when making its records available in accordance with this section.” The California Public Records Act (Government Code §Section 7920.000, et seq.) and the California Constitution (Cal. Const. Art. I, Code §Section 3, subd. (b).) gives every member of the public the right to inspect and/or receive copies of public records, for the direct cost of duplication or a statutory fee, except where access is otherwise made exempt by law.

**III. DEFINITIONS**

For purposes of this policy and procedure, “public records” shall include any writing containing information related to the conduct of the public’s business that is prepared, owned, used, or retained by the Commission, regardless of physical form or characteristics. (Government Code §Section 7922.530 subd. (a).)

“Writing” means 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 combination thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code §Section 7922.540 subd. (a).)

## IV. PROCEDURES

- A. OC LAFCO encourages members of the public to submit ~~records-CPRA~~ requests to the Commission's office during normal business hours when the Commission offices are open. Receiving requests during normal business hours helps Commission staff avoid any delays in responding to requests for inspection and/or copies of OC LAFCO records. This procedure is intended to further the ~~Public Records Act Mandate~~CPRA provision that public records must be "open to inspection at all times during the office hours of the state or local agency..." and the provision that allows OC LAFCO to "adopt requirements for itself that allow for faster, more efficient, or greater access to records that prescribed by the minimum standards set forth in [the Public Records Act]." (Government Code ~~§Section~~ 7922.525 through ~~§Section~~ 7922.540(b).) Notwithstanding the foregoing, OC LAFCO accepts ~~records-CPRA~~ requests that are sent to the Commission's office after normal business hours, during weekends, and holidays. However, OC LAFCO will deem such requests as received on the next business day that the Commission's office is open for business.
- B. OC LAFCO encourages members of the public to submit all ~~records-CPRA~~ requests in writing to the Commission's office, preferably using the Public Record Request form attached as Exhibit "A" to this policy. Written requests reduce any misunderstandings between the requester and OC LAFCO staff, which allows OC LAFCO staff to respond to ~~records-CPRA~~ requests in a timely manner and with greater efficiency. However, OC LAFCO will not deny a request for records solely because it is not submitted in writing or was not submitted on OC LAFCO's Public Record Request form.
- C. The requester should, in writing, reasonably describe an identifiable record or records being sought. specify the records to be inspected/copied with sufficient detail to enable OC LAFCO to identify the particular records.~~The request must be focused, specific, and reasonably clear, to enable OC LAFCO to identify the particular record or records.~~ -If the request appears unclear or is overly broad, ambiguous or unfocused, staff will make a reasonable effort to obtain additional clarifying information from the requester that will help identify the record or records. Pursuant to Government Code ~~§Section~~ 7922.600 and ~~§Section~~ 7922.605, staff shall do all of the following, to the extent reasonable under the circumstances:
1. Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.
  2. Describe the information technology and physical location in which the records exist.
  3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought.
- D. Whenever possible, staff will promptly make available disclosable public records~~Staff will make disclosable public records promptly available whenever possible.~~ If any document responding to a ~~public records~~CPRA request is posted on any OC LAFCO-

related websites, staff will provide the requestor with a link or other direction to the online location of the document, pursuant Government Code [§Section 7922.545](#), subdivision (a).

- E. For requests for records in electronic format, OC LAFCO will make electronic records available in their existing format, pursuant to the requirements and conditions of Government Code [§Section 7922.570](#) through [§Section 7922.580](#).

F. Within ~~10-ten~~ (~~ten~~10) days of OC LAFCO's date of receipt of the original [CPRA](#) request ([pursuant to Section IV\(A\) of this Policy](#)), the Executive Officer will provide a written determination as follows:

1. If the requested records ~~we~~are made promptly available after the request ~~wa~~s received, the Executive Officer's written response will document staff's determination that the records ~~we~~are disclosable and ~~we~~are provided to the requester.
2. If the request presents "unusual circumstances" as described in Government Code [§Section 7922.535](#) subdivision (b), the Commission may take an extension of ~~14~~[fourteen \(14\)](#) -days to provide a determination on the request. Pursuant to Government Code [§Section 7922.535](#), subdivision (c), "unusual circumstances" means the following, but only to the extent reasonably necessary to properly process the request:
  - a. The need to search for and collect the requested records from file~~d~~ facilities or other establishments that are separated from the office processing the request.
  - b. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
  - c. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request, or among two or more components of the Commission having substantial subject matter interest therein.
  - d. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

The Executive Officer's written response will explain the "unusual circumstances" that apply to the request and will provide the estimated date when the determination on the request will be provided.

3. If the requested records are exempt from disclosure under the Public Records Act, other state law, or federal law, the response shall provide the specific exemptions and provide the name and title or position of the person(s) responsible for

withholding the exempt records.

4. If the requested records are disclosable but cannot be made “promptly available” because additional time is required to complete the request, the response shall notify the requester of the estimated date when the materials will be made available.

~~F.G.~~ For requests to inspect records, staff members will assist requestors to schedule a date and time for inspection during regular business hours when the Commission offices are open. Original records may NOT be taken from OC LAFCO offices or another repository. Some historical OC LAFCO records are stored in the Orange County Records Center through an agreement between OC LAFCO and the Orange County Records Center. All OC LAFCO records within the Orange County Records Center remain under the ownership of OC LAFCO. As custodian for these documents, OC LAFCO shall work with Orange County Records Center, when necessary, to retrieve any documents that respond to ~~records-CPRA~~ requests.

~~G.H.~~ OC LAFCO shall produce requested copies upon payment of the copy fee specified in the OC LAFCO fee schedule or upon payment of a statutory fee if applicable.

**Originally Adopted:** 9/1979 (formerly “Policy for the Public Review of LAFCO Records”)

**Last Reviewed:** ~~3/8/2023~~3/14/2023

**Last Revised:** ~~3/8/2023~~3/14/2023

EXHIBIT A  
[PLACE ON LETTERHEAD]

**PUBLIC RECORDS ACT (PRA) REQUEST FORM**

**A. REQUESTOR INFORMATION:** *\*Required field (You will need to provide at least one form of contact information for us to respond to your request.)*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

\*Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

\*Telephone: \_\_\_\_\_ \*Fax: \_\_\_\_\_ \*Cell: \_\_\_\_\_

**B. RECORDS REQUESTED:** *Please be specific and state clearly the type of information you are requesting. To expedite your request, please indicate the type of record, file name, application number, applicant name, date or date range of record(s), incident location or other helpful information. (You may attach another sheet if you need additional space.)*

I am requesting to (check one)  inspect  receive copies of the following records:

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

*We assure you that your request for information is important to us. However, immediate access records cannot always be accommodated immediately. In accordance with California ~~GOVERNMENT CODE~~ Government Code Section 57920.000, et seq. OC LAFCO staff has up to ten (10) days in which to determine whether the documents requested constitute in whole or in part disclosable public records, and such time period may be extended if necessary. Requests for large volume documents, historical/archived files, or for active application files requested near an OC LAFCO meeting date may not be processed immediately. Extensive research or substantial photocopying may take a reasonable amount of time to process. If you would like to schedule an appointment to arrange appropriate accommodations for large requests, please contact [INSERT CONTACT PERSON, TITLE AND PHONE NUMBER AND/OR EMAIL ADDRESS.]*

***Please be advised that OCLAFCO copying fees or statutory copying fees may apply for copy requests and that you may be required to pay all such fees before requested copies are delivered.***

**Orange County Local Agency Formation Commission  
California Public Records Act Policy**

**I. POLICY**

This policy sets forth the procedures of the Orange County Local Agency Formation Commission (OC LAFCO) for handling California Public Records Act (“CPRA”) requests pursuant to Government Code Section 7920.000 et seq., and all existing laws and regulations pertaining to disclosure of public records. If any provision of this policy conflicts with current state or federal law, the law shall take precedence.

It shall be the policy of OC LAFCO to allow members of the public to inspect and/or receive copies of any records maintained in the Commission’s office or OC LAFCO-related records housed in the Orange County Records Center, unless such records are restricted by federal or state law, or other regulations.

**II. LEGAL AUTHORITY**

This policy is authorized under Government Code Section 7922.630 which provides: “Every agency may adopt regulations stating the procedures to be followed when making its records available in accordance with this section.” The California Public Records Act (Government Code Section 7920.000, et seq.) and the California Constitution (Cal. Const. Art. I, Code Section 3, subd. (b).) gives every member of the public the right to inspect and/or receive copies of public records, for the direct cost of duplication or a statutory fee, except where access is otherwise made exempt by law.

**III. DEFINITIONS**

For purposes of this policy and procedure, “public records” shall include any writing containing information related to the conduct of the public’s business that is prepared, owned, used, or retained by the Commission, regardless of physical form or characteristics. (Government Code Section 7922.530 subd. (a).)

“Writing” means 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 combination thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code Section 7922.540 subd. (a).)



**IV. PROCEDURES**

- A. OC LAFCO encourages members of the public to submit CPRA requests to the Commission's office during normal business hours when the Commission offices are open. Receiving requests during normal business hours helps Commission staff avoid any delays in responding to requests for inspection and/or copies of OC LAFCO records. This procedure is intended to further the CPRA provision that public records must be "open to inspection at all times during the office hours of the state or local agency..." and the provision that allows OC LAFCO to "adopt requirements for itself that allow for faster, more efficient, or greater access to records that prescribed by the minimum standards set forth in [the Public Records Act]." (Government Code Section 7922.525 through Section 7922.540(b).) Notwithstanding the foregoing, OC LAFCO accepts CPRA requests that are sent to the Commission's office after normal business hours, during weekends, and holidays. However, OC LAFCO will deem such requests as received on the next business day that the Commission's office is open for business.
- B. OC LAFCO encourages members of the public to submit all CPRA requests in writing to the Commission's office, preferably using the Public Record Request form attached as Exhibit "A" to this policy. Written requests reduce any misunderstandings between the requester and OC LAFCO staff, which allows OC LAFCO staff to respond to CPRA requests in a timely manner and with greater efficiency. However, OC LAFCO will not deny a request for records solely because it is not submitted in writing or was not submitted on OC LAFCO's Public Record Request form.
- C. The requester should, in writing, reasonably describe an identifiable record or records being sought. The request must be focused, specific, and reasonably clear, to enable OC LAFCO to identify the particular record or records. If the request appears unclear or is overly broad, staff will make a reasonable effort to obtain additional clarifying information from the requester that will help identify the record or records. Pursuant to Government Code Section 7922.600 and Section 7922.605, staff shall do all of the following, to the extent reasonable under the circumstances:
1. Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated.
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- E. For requests for records in electronic format, OC LAFCO will make electronic records available in their existing format, pursuant to the requirements and conditions of Government Code Section 7922.570 through Section 7922.580.
- F. Within ten (10) days of OC LAFCO's date of receipt of the original CPRA request (pursuant to Section IV(A) of this Policy), the Executive Officer will provide a written determination as follows:
1. If the requested records are made promptly available after the request is received, the Executive Officer's written response will document staff's determination that the records are disclosable and are provided to the requester.
  2. If the request presents "unusual circumstances" as described in Government Code Section 7922.535 subdivision (b), the Commission may take an extension of fourteen (14) days to provide a determination on the request. Pursuant to Government Code Section 7922.535, subdivision (c), "unusual circumstances" means the following, but only to the extent reasonably necessary to properly process the request:
    - a. The need to search for and collect the requested records from field facilities or other establishments that are separated from the office processing the request.
    - b. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
    - c. The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request, or among two or more components of the Commission having substantial subject matter interest therein.
    - d. The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

The Executive Officer's written response will explain the "unusual circumstances" that apply to the request and will provide the estimated date when the determination on the request will be provided.

3. If the requested records are exempt from disclosure under the Public Records Act, other state law, or federal law, the response shall provide the specific exemptions and provide the name and title or position of the person(s) responsible for withholding the exempt records.
4. If the requested records are disclosable but cannot be made "promptly available" because additional time is required to complete the request, the response shall notify the requester of the estimated date when the materials will be made

available.

- G. For requests to inspect records, staff members will assist requestors to schedule a date and time for inspection during regular business hours when the Commission offices are open. Original records may NOT be taken from OC LAFCO offices or another repository. Some historical OC LAFCO records are stored in the Orange County Records Center through an agreement between OC LAFCO and the Orange County Records Center. All OC LAFCO records within the Orange County Records Center remain under the ownership of OC LAFCO. As custodian for these documents, OC LAFCO shall work with Orange County Records Center, when necessary, to retrieve any documents that respond to CPRA requests.
  
- H. OC LAFCO shall produce requested copies upon payment of the copy fee specified in the OC LAFCO fee schedule or upon payment of a statutory fee if applicable.

**Originally Adopted:** 9/1979 (formerly “Policy for the Public Review of LAFCO Records”)  
**Last Reviewed:** 03/13/2024,  
**Last Revised:** 03/13/2024

EXHIBIT A  
[PLACE ON LETTERHEAD]

**PUBLIC RECORDS ACT (PRA) REQUEST FORM**

**A. REQUESTOR INFORMATION:** *\*Required field (You will need to provide at least one form of contact information for us to respond to your request.)*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

\*Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

\*Telephone: \_\_\_\_\_ \*Fax: \_\_\_\_\_ \*Cell: \_\_\_\_\_

**B. RECORDS REQUESTED:** *Please be specific and state clearly the type of information you are requesting. To expedite your request, please indicate the type of record, file name, application number, applicant name, date or date range of record(s), incident location or other helpful information. (You may attach another sheet if you need additional space.)*

I am requesting to (check one)  inspect  receive copies of the following records:

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

*We assure you that your request for information is important to us. However, immediate access records cannot always be accommodated immediately. In accordance with California Government Code Section 7920.000, et seq. OCLAFCO staff has up to ten (10) days in which to determine whether the documents requested constitute in whole or in part disclosable public records, and such time period may be extended if necessary. Requests for large volume documents, historical/archived files, or for active application files requested near an OC LAFCO meeting date may not be processed immediately. Extensive research or substantial photocopying may take a reasonable amount of time to process. If you would like to schedule an appointment to arrange appropriate accommodations for large requests, please contact [INSERT CONTACT PERSON, TITLE AND PHONE NUMBER AND/OR EMAIL ADDRESS.]*

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**Orange County Local Agency Formation Commission**  
**Records Retention and Destruction Policy**

**I. PURPOSE**

The purpose of this policy is to provide guidelines to staff regarding the retention of records of the Local Agency Formation Commission of Orange County (OC LAFCO); provide for the identification, maintenance, and safeguarding of OC LAFCO records and the destruction of obsolete records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

**II. POLICY**

It is the policy of this Commission to retain OC LAFCO documents and other records in accordance with the retention schedule established in the attached table. The schedule follows the minimum retention periods mandated by the California Government Code, the California Code of Civil Procedure, the Code of Federal Regulations, the Secretary of State Local Government Records Management Guidelines, and other legal authorities cited.

**III. PROCEDURE**

- A. The ~~staff member~~Commission Clerk completes and signs a “~~Request for Destruction of Obsolete Records~~” form, listing the date and description of each document to be destroyed. A sample form is attached to this policy as Attachment “A.” ~~The staff member submits the form to the Commission Clerk.~~

The Commission Clerk confirms ~~checks the documents listed on the submitted form to confirm~~ that each document is: (1) not required to be permanently retained, or (2) has been retained for the legally required period of time. The Commission Clerk also confirms that any applicable reproduction requirements (i.e., imaging, etc.) for each document are complete. The Commission Clerk also verifies that the documents are not relevant to a lawsuit, a claim, a subpoena, an investigation, a litigation hold, a Public Records Act (Government Code §7920 - 7931 et seq.) request, an audit or similar proceeding, which is in progress or which can reasonably be anticipated.

- ~~B. The Commission Clerk submits the form to the Executive Officer, who reviews and signs the form and then returns the signed form to the Commission Clerk.~~

~~C.B.~~ After receiving the signed form from the Executive Officer, the Commission Clerk oversees the destruction of the obsolete documents, indicates the method of destruction on the form, signs the form, and retains the original signed form.

~~D.C.~~ The Commission Clerk will retain all original signed forms requesting destruction of obsolete records for a minimum period of two (2) years.

~~E.D.~~ The Commission Clerk will permanently retain a master log of all destroyed obsolete documents which includes the titles or brief descriptions of the obsolete documents that were destroyed, the method of destruction and the date of destruction.

#### IV. GENERAL GUIDELINES

- A. The Commission Clerk shall be responsible for the administration of this policy and shall assist all OC LAFCO personnel to comply with the provisions of this policy and with the Records Retention Schedule, set forth in Attachment "B."
- B. The following general guidelines apply to all OC LAFCO records.
  1. The Commission may authorize the destruction of any duplicate records at any time. (Government Code §26201 and §60200.)
  2. Unless otherwise required by State or Federal law, the Commission may authorize the destruction of any original document which is more than two (2) years old without retaining a copy of the document as long the retention and destruction of the document complies with the retention schedule as set forth in this policy. (Government Code §26202 and §60201.)
  3. In addition to the retention periods required under this policy, the Commission shall retain original administrative, legal, fiscal and/or historical records with continued value (i.e., records for long-term transactions and/or special projects) until all matters pertaining to such records are completely resolved or the time for appeals has expired. (Government Code §34090 and §60201, subd. (d)(10).)
  4. Pursuant to Government Code §60201, the Commission shall not destroy any of the following records:
    - a. Records relating to the formation, change of organization or reorganization of the Commission.
    - b. Ordinances and resolutions unless they have been repealed or have

become invalid or otherwise unenforceable for five (5) years.

- c. Minutes of any meeting of the Commission.
- d. Records relating to any pending claim, litigation, any settlement or other disposition of litigation within the past two (2) years.
- e. Records that are the subject of any pending request for records under the California Public Records Act (Government Code §7920-7931 et seq.), whether or not the record is exempt from disclosure, until the request has been granted or two (2) years after the request has been denied by the Commission.
- f. Records relating to any pending construction that the Commission has not accepted or for which a stop notice claim may be legally presented.
- g. Records relating to any non-discharged debt of the Commission.
- h. Records relating to the title to real property in which the Commission has an interest.
- i. Records relating to any non-discharged contract to which the Commission is a party.
- j. Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received.
- k. Unaccepted bids or proposals, which are less than two (2) years old, for the construction or installation of any building, structure or other public work.
- l. Records less than seven (7) years old that specify the amount of compensation or expense reimbursement paid to Commission employees, officers, or independent contractors.

#### C. Exceptions to Scheduled Destruction

Destruction of any record shall be postponed if that record is responsive to a subpoena, litigation hold or other request for preservation, a Public Records Act (Government Code §7920-7931 et seq.) request, an audit, or a claim filed against OC LAFCO. In addition, records that relate to any active litigation or potential litigation involving OC LAFCO shall be preserved until the litigation is resolved. OC LAFCO personnel who become aware of a subpoena, claim, Public Records Act request, etc., that affects records under their control shall use their best efforts,

by any reasonable means available to them, to preserve those records. In such situations, OC LAFCO personnel shall contact the Commission Clerk regarding the affected records.

## V. SPECIFIC GUIDELINES

### A. Accounting Records

1. Accounting records include, but are not limited to, the following:

#### a. Source Documents

- Invoices.
- Warrants.
- Vouchers.
- Requisitions/Purchase Orders (attached to invoices).
- Cash Receipts.
- Claims (attached to warrants in place of invoices).
- Bank Statements.
- Bank Deposits.
- Checks.
- Bills.
- Various accounting authorizations taken from Commission minutes, resolutions or contracts.

#### b. Journals

- Cash Receipts.
- Accounts Receivable or Payable Register.
- Check or Warrant Register.
- General Journal.
- Payroll Journal.

#### c. Ledgers

- Expenditure.
- Revenue.
- Accounts Payable or Receivable Ledger.
- Assets/Depreciation.
- Warrants payable.
- Construction.
- General ledger.

#### d. Trial Balance

#### e. Adjusting Entries



- f. Statements (Interim or Certified – Individual or All Fund)
    - Balance Sheet.
    - Analysis of Changes in Available Fund Balance.
    - Cash Receipts and Disbursements.
    - Inventory of Fixed Assets (Purchasing).
  - g. Journal Entries
  - h. Reversing Entries
  - i. Payroll and personnel records include but are not limited to the following:
    - Accident reports, injury claims and settlements.
    - Applications, changes or terminations of employees.
    - Earnings records and summaries.
    - Fidelity bonds.
    - Garnishments.
    - Insurance records of employees.
    - Job descriptions.
    - Medical histories.
    - Retirements.
    - Timecards.
  - j. Other
    - Inventory Records (Purchasing).
    - Capital Asset Records (Purchasing).
    - Depreciation Schedule.
    - Cost Accounting Records.
2. General ledgers should be retained a minimum of four (4) years after completion of any annual audit (Code of Civ. Pro. §337). Published articles show retention periods of **four (4) to seven (7) years** as typical. However, the Secretary of State recommends that general ledgers be permanently retained. (Sec. of State Local Gov't Records Mgmt. Guidelines; Gov. Code §34090.)
  3. In general, the Commission should retain original source documents that are detailed in a register, journal, ledger or statement **until audited plus four (4) years**. (Sec. of State Local Gov't Records Mgmt.) Certain source documents may be retained for a shorter period of time. Refer to the records retention schedule for specific accounting documents.
  4. At any time, the Commission may destroy rough drafts, notes, working papers

(except for audits) that are not retained by the Commission in the ordinary course of business, including temporary or transitory documents used only for controlling the flow of work (e.g., “Post-It®” notes).

5. In addition to any required legal retention period, the Commission shall not authorize the destruction of any record subject to audit until it has been determined that the audit has been performed. (Government Code §14755, subd. (b); Government Code §subd. (d)(10))

#### B. Long-Term Debt Records

1. The Commission may destroy paid bonds, warrant certificates and interest coupons after **ten (10) years**. (Code of Civil Proc. §337.5.)
2. The Commission may not destroy any documents relating to any non-discharged debt. (Government Code §60201, subd. (d)(7).)

#### C. Commission Records

1. The Commission shall retain original records of the minutes of meetings of the Commission **indefinitely**. (Government Code §34090 and §60201)
2. The Commission shall retain original ordinances and resolutions **indefinitely**. (Government Code §34090 and §60201.) However, ordinances or resolutions that have been repealed or are otherwise invalid or unenforceable may be destroyed after five (5) years. (Government Code §60201, subd. (2)(2).)

#### D. Statements of Economic Interest (SEI) [Form 700] and Other Reports Filed Pursuant to the Political Reform Act (Government Code §81000 et seq.)

1. Filing officers shall retain original statements and reports for **seven (7) years**. (Government Code §81009 (c), (e).) After an original report or statement has been on file for at least two (2) years, the filing officer may retain an electronically imaged copy available for public inspection instead of the original report or statement. (Government Code §81009, subd. (g).)
2. Filing officers shall retain copies of statements or reports for **four (4) years**. The officer does not have to keep more than one copy of a statement or report. (Government Code §81009 (f).) After a copy of a report or statement has been on file for at least two (2) years, the filing officer may retain an electronically imaged copy available for public inspection instead of the paper copy. (Government Code §81009, subd. (g).)

#### E. Contracts

1. The Commission shall retain original contracts for **four (4) years** after completion of the contracts. (Code of Civ. Proc. §337.)
2. The Commission shall retain contracts with any person or entity that develops real property or furnishes the design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property for **ten (10) years** after the completion of the construction or improvement. (Code of Civ. Proc. §337.15.)

#### F. Property Records

The Commission shall retain original property records, such as title documents, **indefinitely**, or until the property is transferred or otherwise no longer owned by the Commission. (Government Code §34090 and §60201.)

#### G. Payroll and Personnel Records

1. Payroll and personnel records include, but are not limited to, the following:
  - a. Accident reports, injury claims and settlements.
  - b. Medical histories.
  - c. Injury frequency charts.
  - d. Applications, changes and terminations of employees.
  - e. Timecards.
  - f. Job descriptions.
  - g. Performance or rating documents.
  - h. Earning records and summaries.

Records specifying amounts of compensation or expense reimbursement paid to Commission employees, officers, or independent contractors must be retained for seven (7) years after date of payment. (Government Code §60201)

2. The Commission shall retain personnel files for **three (3) years** after an individual's employment terminates. (Labor Code §1198.5; 29 CFR 1627.3.)
3. The Commission shall retain medical records of employees who have been exposed to toxic substances or harmful physical agents for **thirty (30) years beyond the length of employment**. Such medical records shall include records made or maintained by a physician, nurse, or other healthcare personnel or technician pertaining to employees exposed to toxic substances or harmful physical agents. Such medical records do NOT include first aid records for one-time treatment made on-site by a non-physician or observation of minor

scratches, cuts, burns, splinters, etc., which do not involve medical treatments, loss of consciousness, restriction of work or motion, or transfer to another job. (29 CFR 1910.1020; 8 Cal. Code Regs. §3204 (d)(1)(A)(B).)

For employees who are employed by the Commission for **less than one year**, the Commission does not need to retain the employee's medical records regarding exposure to hazardous substances if the Commission provides the employee with such records upon termination of employment. (Ibid.)

Routine medical records including first aid records for one-time treatment, observation of minor injuries, records relating to medical leave taken by employees with information including hours taken, notices, and policies, burns, splinters, etc., should be kept for the **length of employment plus three (3) years**. (29 CFR 825.500.)

4. The Commission may destroy personnel fidelity bonds **two (2) years** after ~~termination~~separation. (Government Code §34090.) Wage garnishments must be retained while active until garnishment is satisfied, then retained until audited plus **four (4) years** after ~~termination~~separation. (Ibid.)
5. The Commission shall retain payroll records containing the name, address, date of birth, gender, job classification, hours worked, and regular and overtime wages for each employee for **three (3) years** beyond the length of employment and **seven (7) years from date of payment** (29 CFR Part 516.5; Labor Code §1174 and §1197.5; Government Code §60201.) Payroll registers listing labor costs by employee and program should be retained for a minimum of **seven (7) years from date of payment**. Permanent retention of payroll registers is recommended in the Secretary of State Local Government Records Management Guidelines.
6. The Commission shall retain basic timecards or timesheets which are entered daily with the starting and stopping times of individual employees for a minimum of **three (3) years**. The Secretary of State Local Government Records Management Guidelines recommends retaining such documents for **six (6) years**. (29 CFR Part 516.6; Labor Code §1174; Sec. of State Local Gov't Records Mgmt. Guidelines.
7. The Commission shall retain employment applications and employment referral records and files for **two (2) years** after such records or files are created. (Government Code §12946; 29 CFR 1627.3.)
8. The Commission shall retain records regarding the race, gender, and national origin of each applicant and for the job for which such applicant applied for

**two (2) years** from the date of the creation of the record or the date of the personnel action involved, whichever occurs later. The Commission may either retain the original documents used to identify applicants or keep statistical summaries of the collected information. (2 CCR §7287.0, subds. (b)(2), (c).)

#### H. Construction and Engineering Records

1. The Commission shall retain certain original construction records, such as bids, correspondence, and change orders, for **four (4) years** after project completion, unless the records pertain to a project which includes a guarantee or grant in which event they shall be retained for the **life of the guarantee or grant plus four (4) years**. The Commission shall retain as-built plans for any public facility or works as long as the facility exists.
2. The Commission may destroy unaccepted bids or proposals for public works after **two (2) years**. (Government Code §26202.1 and §60201.)
3. The Commission shall retain supporting documents on capital improvement projects, including bidder's lists, specifications, reports, plans, work orders, schedules, etc., for **ten (10) years after project completion**. (Code of Civ. Proc. §337.15.)

#### I. Exposure/Safety Records and Material Safety Data Sheets (MSDS).

1. The Commission shall retain employee exposure records and exposure assessment records for at least **thirty (30) years**. Such records should reveal the identity of the toxic substance or harmful physical agent and where and when such substance or agent was used. (8 Cal. Code Regs. §3204; 29 C.F.R. 1910.1020.)
2. The Commission may destroy the material safety data sheet (MSDS) for a hazardous substance after the Commission stops using the hazardous substance provided it keeps a record of the substance (chemical name if known) and when and where it was used for **thirty (30) years**. (8 Cal. Code Regs. §3204(d)(1)(B)(2); 29 C.F.R. 1910.1020 (d) (ii) (B).)

#### J. Video Monitoring, Telephone and Radio Communications; Other Video and Audio Recordings

1. The Commission shall retain recordings of **routine video monitoring** (e.g., building security recording systems) for at least **one (1) year**. After the one-year retention period, the Commission may destroy the video recording upon approval by the Commission. (Government Code §34090.6 and §53160.)

2. Upon authorization of the Commission, recordings of telephone and radio communications maintained by the Commission may be destroyed after **100 days**. (Government Code §34090.6.)
  3. Video or audio recordings of Commission meetings made at the direction of the Commission, for whatever purposes, must be retained at **least 30 days after the meeting**. (Government Code §54953.5.)
  4. If the Commission keeps another record, such as written minutes, of an event (other than Commission meetings) that is recorded on video or digitally recorded, the Commission must keep the video recording of the event for **at least 90 days** after the occurrence of the event. **After 90 days**, the video recording may be destroyed or erased, upon approval by the Commission. (Government Code §34090.7 and §53161; 85 Ops. Cal. Atty. Gen. 256 (2002).)
- K. Records Retention Schedule

The “Records Retention Schedule” is attached to this policy as Attachment “B” and is incorporated herein by reference. This policy and the Records Retention Schedule comply with the records retention guidelines provided by the California Secretary of State and may be updated from time to time.

**Originally Adopted:** 2/8/2006

**Last Reviewed:** ~~3/8/2023~~ 3/13/2024

**Last Revised:** ~~2/10/2021~~ 3/13/2024

**ATTACHMENT "A"**

**REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS**

LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY

To: ~~Records File~~ ~~Executive Officer/Assistant Executive Officer~~

From: Commission Clerk

Subject: ~~Request for~~ Destruction of Obsolete Records

The following ~~I am requesting approval to destroy the~~ obsolete records listed below were destroyed in accordance with OC LAFCO Records Retention and Destruction Policy.

| DATE OF RECORD | DESCRIPTION OF RECORD |
|----------------|-----------------------|
|                |                       |
|                |                       |
|                |                       |
|                |                       |
|                |                       |

APPROVED:

\_\_\_\_\_  
~~Executive Officer~~ \_\_\_\_\_ ~~Date~~

The obsolete records described above were destroyed under my supervision using the following method:

- Shredding                       Other (specify method)

I certify that such destruction meets the requirements of the Records Retention and Destruction Policy of OC LAFCO and all applicable requirements of State and Federal law.

\_\_\_\_\_  
 Commission Clerk

\_\_\_\_\_  
 Date of Records Destruction



**ATTACHMENT "B"**

**RECORDS RETENTION SCHEDULE**

| TYPE OF RECORD   | DESCRIPTION OR<br>EXAMPLE OF RECORD  | LEGAL<br>AUTHORITY  | MINIMUM LEGAL<br>RETENTION<br>PERIOD   |
|--|--|---|--|
| <b>Accident/Illness Reports<br/>(OSHA Reports)</b>               | Not a public disclosable record: For Employee Medical Records & Employee Exposure Records regarding exposure to toxic substances or harmful physical agents: <ul style="list-style-type: none"> <li>• Includes Material Safety Data Sheets (MSDS).</li> <li>• Does not include records of health insurance claims maintained separate from employer's records; first aid records of one-time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination.</li> </ul> | GC 6254(c) 8CCR<br>32304(d)(1)(A)(B)  | Duration of employment plus 30 years.  |
| <b>Accidents/Damage to OC<br/>LAFCO Property</b>                 | Risk Management Administration.  | GC 340901<br>CCP 337.15   | 10 years   |
| <b>Accounting Records –<br/>General Ledger</b>                   | General Ledger.  | GC 34090<br>CCP 337<br>Sec. of State Local<br>Gov't Records Mgmt.<br>Guidelines | Until audited +4 years.<br><br>Published articles show 4 - 7 years retention as typical.<br><br>Sec. of State Guidelines recommends permanent retention. |
| <b>Accounting Records –<br/>Permanent Books of<br/>accidents</b> | Records showing items of gross income, receipts and disbursement (including inventories per IRS regulations).  | 26 CFR 1.60001-1(c)<br>& (e)  | Permanent  |
| <b>Accounts Payable</b>  | Journals, statements, asset inventories, account postings with supporting documents, vouchers, investments, invoices and   | CCP 337<br>26 CFR<br>31.6001-1(e) (2).<br>Sec. of State Local<br>Gov't. Records | Until audited +4 years.<br><br>7 years after date of payment.  |

| TYPE OF RECORD   | DESCRIPTION OR<br>EXAMPLE OF RECORD   | LEGAL<br>AUTHORITY   | MINIMUM LEGAL<br>RETENTION<br>PERIOD   |
|--|---|--|--|
|  | back-up documents, purchase orders, petty cash, postage, OCERS reports, check requests, etc.<br><br>Expense reimbursement to employees & officers; travel expense reimbursements or travel compensation.  | Mgmt. Guidelines recommendation  |  |
| <b>Accounts Receivable</b>   | Receipts for deposited checks, coins, currency; reports, investments, receipt books, receipts, cash register tapes, payments for fees, permits, etc.  | 26 CFR 31.6001 – 1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation | Until audited +4 years.  |
| <b>Affidavits of Publication/Posting</b>                                   | Legal notices for public hearings, publication of ordinances, etc.  | GC 34090   | 2 years.   |
| <b>Agency Report of Consultants (FPPC Form 805)</b>                        | Identifies consultants hired by OC LAFCO who must file Form 700.  | 2 CCR 18734. GC 81009(e)   | 7 years.   |
| <b>Agency Report – Events and Ticket/Pass Distribution (FPPC Form 802)</b> | Report of tickets/passes; identifies persons who received ticket/passes and describes the public purpose for the distribution.  | GC 81009(e)  | Originals – 7 years.   |
| <b>Agency Report of Public Official Appointments (FPPC Form 806)</b>       | Report of additional compensation received by OC LAFCO officials when appointing themselves to committees, boards or commission of other public agencies, special districts, joint powers agencies or joint power authorities. Current report must be posted on OC LAFCO's website. | 2 CCR 18705.5; GC 34090.5  | Recommended retention; keep a copy of report for 2 years after removal from OC LAFCO's website.          |
| <b>Agenda/Agenda Packets</b>   | Original agendas, agenda packets, staff reports, and related attachments, supplemental items and documentation submitted by staff/public in relation to   | GC 34090<br>GC 34090.5   | Current +2 years.<br><br>Agency practice is to retain paper copies indefinitely for historical purposes. |

| TYPE OF RECORD                         | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD   |
|--|--|--|--|
|  | <p>agenda items.</p> <p>Paper copies of agenda packets should be maintained for 1 year as complete packets. Originals will later be imaged for permanent records retention; the imaged record may serve as the permanent record.</p> |  |  |
| <b>Agreements (see also Contracts)</b> | Original contracts and agreements and back-up materials, including leases, service/maintenance agreements, etc.  | CCP 337<br>CCP 337.2<br>CCP 343  | 4 years after termination/completion.  |
| <b>Annexations/ Reorganizations</b>    | Notices, Resolutions, Certificates of Completion; documents may be imaged, but the originals can never be destroyed.   | GC 34090<br>GC 60201 (d)(1)  | Permanent.   |
| <b>Annual Financial Report</b>         | May include independent auditor analysis.  | GC 26201, 34090<br>Sec. of State Local Gov't. Records Mgmt. Guidelines<br>GC 34090<br>GC 60201 | Permanent.   |
| <b>Articles of Incorporation</b>       |  | Guidelines GC 34090 (a)  | Permanent.   |
| <b>Audit Reports</b>                   | Financial services; internal and/or external reports.  | GC 34090; CCP 337; CCP 343<br>Sec. of State Local Gov't. Records Retention Guidelines          | <p>Minimum retention – Current +4 years.</p> <p>Sec. of State Guidelines recommends permanent retention [May be revised at a later time by Sec. of State or County officials].</p> |
| <b>Audit Hearing or Review</b>         | Documentation created and/or received in connection with an audit hearing or review.   | GC 26202, 34090  | 2 years.   |
| <b>Ballots – Special</b>               | Copies of ballots from   | GC 26202, 34090,   | 2 years.   |

| TYPE OF RECORD                                 | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY   | MINIMUM LEGAL RETENTION PERIOD  |
|--|--|---|---|
| <b>District elections</b>                      | elections of Special Districts (OC LAFCO members).   | 60201   |   |
| <b>Bank Account Reconciliations</b>            | Bank statements, receipts, certificates of deposit, etc.   | 26 CFR 31,6001-1(e)(2)  | Until audited + 4 years.<br><br>Sec. of State recommends until audited + 5 years. |
| <b>Behested Payment Report (FPPC Form 803)</b> | FPPC form used by elected officials to disclose payments made at their behest (\$5,000 or more from same source) for legislative, governmental, or charitable purposes.  | GC 81009, 82015(b)(23)(B)(iii)  | 7 years.  |
| <b>Brochures/ Publications</b>                 | Retain selected documents only for historic value.   | GC 26202, 34090   | 2 years.  |
| <b>Budget, Annual</b>                          | Annual operating budget approved by OC LAFCO.  | GC 26202, 34090; Sec. of State Local Gov't. Records Mgmt. Guidelines  | Until audited + 2 years.<br><br>Sec. of State recommends permanent retention.     |
| <b>Cal-OSHA</b>                                | Personnel logs, supplementary records; annual summary (Federal and State-Cal-OSHA)   | LC 6410; 8 CCR 14307  | 5 years.  |
| <b>Checks (issued by OC LAFCO)</b>             | OC LAFCO checks paid – expense reimbursements, payments to independent contractors, etc. Includes check copies; canceled and voided checks; electronic versions of checks.<br><br>OC LAFCO check paid to vendors; other OC LAFCO payments – includes check copies; canceled or voided checks; electronic versions of checks. | GC 60201(d)(12) CCP 337<br><br>Sec. of State Local Gov't. Records Mgmt. Guidelines; CCP 337; 26 CFR 31.6001-1(e)(2) | 7 years.<br><br>Until audited +4 years.   |
| <b>Citizen Feedback</b>                        | General correspondence.  | GC 26202, 34090   | 2 years.  |
| <b>Claims Against OC LAFCO</b>                 | Paid/Denied.   | GC 60201(d)(4); GC 25105.5  | Until settled +5 years.   |
| <b>Complaints/Requests</b>                     | Various files, not related to specific lawsuits involving  | GC 26202, 34090   | 2 years.  |

| TYPE OF RECORD  | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD                                |
|---|---|--|---|
|   | the agency and not otherwise specifically covered by the retention schedule.  |  |   |
| <b>Contracts</b>  | Original contracts and agreements and back-up materials, including leases, service/maintenance contracts, etc.  | CCP 337, 337.2, 343  | 4 years after termination/ completion.                        |
| <b>Correspondence</b>   | General correspondence, including letters and e-mail; various files, not otherwise specifically covered by the retention schedule.  | GC <del>26020M-26202</del> 34090   | 2 years.  |
| <b>Deferred Compensation Reports</b>                          | Finance – pension/retirement funds.   | 29 CFR 516.5<br>29 CFR 1627.3  | 3 years.  |
| <b>Demographic/Statistical Data</b>                           |   | GC 26202, 34090  | Current +2 years.   |
| <b>Deposits, Receipts</b>                                     | Receipts for deposited checks, coins, currency.   | CCP 337; 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines | Until audited +4 years.                                       |
| <b>DMV Driver's Records, Reports (DMV Pull Notice System)</b> | Part of personnel records – not a public record.  | GC 34090<br>GC 6254(c) Sec. of State Local Gov't. Records Mgmt. Guidelines           | Until superseded (should receive new report every 12 months). |
| <b>Employee Files</b>   | Personnel – information may include release authorizations, certifications reassignments, outside employment, commendations, disciplinary actions, terminations, oaths of office, evaluations, pre-employee medicals, fingerprints, identification cards. | GC 12946<br>29 CFR 1627.3  | While current +3 years.                                       |
| <b>Employee Information Applicant Identification Records</b>  | Personnel – data recording race, sex, national origin of applicants.  | 2 CCR 7287(b) (c)(2)   | 2 years.  |
| <b>Employee Information,</b>                                  | Name, address, date of  | GC 12946   | 3 years.  |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD   |
|--|---|--|--|
| <b>General</b>   | birth, occupation.  | 29 CFR 1627.3<br>LC 1174   |  |
| <b>Employee Information, Payment</b>                                     | Rate of pay and weekly compensation earned.   | GC 60201   | 7 years.   |
| <b>Employee Programs</b>   | Includes EAP and Recognition.   | GC 26202, 34090<br>GC 12946  | Current +2 years.  |
| <b>Employee Recruitment</b>  | Alternate lists/logs, examination materials, examination answer sheets, job bulletins.  | GC 12946<br>GC 26202, 34090<br>29 CFR 1602 et. Seq.<br>29 CFR 1627.3 | Current +2 years.  |
| <b>Employee Reports</b>  | Employee statistics, benefit activity, liability loss.  | GC 26202, 34090  | Current +2 years.  |
| <b>Employee Rights – General</b>   |   | GC 12946<br>29 CFR 1602.31   | Length of employment + 2 years.  |
| <b>Employment Applications – Not Hired</b>                               | Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant.  | GC 26202, 34090<br>GC 12946<br>29 CFR 1627.3                         | 2 years.   |
| <b>Employment Eligibility Verification (I-9 Forms)</b>                   | Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986.   | 8 USC 1324a (b)(3)<br>Pub. Law 99-603                                | 3 years after date of hire, or 1 year after date of termination, whichever is later. |
| <b>Employment – Surveys and Studies</b>                                  | Includes classification, wage rates.  | GC 12946<br>GC 26202, 34090<br>29 CFR 516.6                          | 2 years.   |
| <b>Employment – Training Records, Non-Safety</b>                         | Volunteer program training – class training materials, internships.   | GC 34090<br>GC 12946   | Length of employment + 2 years.  |
| <b>Employment – Vehicle Mileage reimbursement Rates</b>                  | Annual Mileage reimbursements rates.  | GC 26202, 34090  | Until superseded + 2 years.  |
| <b>Environmental Quality California Environmental Quality Act (CEQA)</b> | Exemptions, Environmental Impact Reports, mitigation monitoring, Negative Declarations, Notices of Completion and Determination, comments, Statements of Overriding Considerations. | GC 34090, 60201<br>CEQA Guidelines                                   | Permanent.   |
| <b>Environmental Quality Environmental Review</b>                        | Correspondence, consultants, issues,  | GC 26202, 34090  | Completion + 2 years.  |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY   | MINIMUM LEGAL RETENTION PERIOD   |
|--|--|---|--|
|  | conservation.  |   |  |
| <b>ERISA Records</b>                                       | Employee Retirement Income Security Act of 1974 – plan reports, certified information filed, records of benefits due.                  | 29 USC 1027, 2059<br><i>La Barbera v. A. Morrison Trucking, Inc.</i><br>2011 US Dist.<br>LEXIS 16343<br>(E.D.N.Y. Feb 17, 2011) | 6 years.   |
| <b>Family and Medical Leave Act (FMLA) (Federal)</b>       | Records of leave taken, OC LAFCO policies relating to leave, notices communications relating to taking leave.                          | 29 CFR 825.500 GC 12946   | While employed + 3 years (Federal) or 2 years (State).   |
| <b>Fixed Assets Inventory</b>                              | Reflects purchase date, cost, account number.  | GC 26202, 34090   | Until audited + 2 years.   |
| <b>Fixed Assets Surplus Property</b>                       | Auction, disposal, listing of property.  | GC 26202, 34090<br>CCP 337  | Until audited + 4 years.   |
| <b>Forms</b>   | Administrative – blank.  |   | Until superseded.  |
| <b>Funds Transfers</b>                                     | Internal; bank transfers & wires.  | GC 26202, 34090   | Until audited + 2 years.   |
| <b>General Ledgers</b>                                     | All annual financial summaries.  | GC 34090<br>CCP 337<br>Sec. of State Local Gov't. Records Retention Guidelines  | Until audited + 4 years.<br><br>Sec. of State Guidelines recommends permanent retention [May be revised at a later time by Sec. of State or County officials]. |
| <b>Gift to Agency Report (FPPC Form 801)</b>               | FPPC form showing payment or donation made to OC LAFCO or to an OC LAFCO official and which can be accepted as being made to OC LAFCO. | FPPC Reg. 18944(c)(3)(F)(G); FPPC Fact Sheet: "Gifts to an Agency – Part 2"<br><a href="#">GC 81009(e)</a>                      | Must be posted on agency website for 4 years (per FPPC Fact Sheet). <u>Originals must be retained 7 years.</u>   |
| <b>Gifts/Bequests</b>                                      | Receipts or other documentation.   | GC 34090  | Until completed + 2 years.   |
| <b>Grants – Successful Federal, State, or other grants</b> | Grant documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-             | GC 34090<br>24 CFR 570.502<br>24 CFR 85.42  | Until completed + 4 years.<br><br>Must see each individual grant for   |



| TYPE OF RECORD                                 | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY   | MINIMUM LEGAL RETENTION PERIOD   |
|--|--|---|--|
|  | recipient dockets, environmental review, grant documents, inventory, consolidated plan, etc.   |   | retention requirements.  |
| <b>Grants – Unsuccessful</b>                   | Applications not entitled.   | GC 26202, 34090   | 2 years.   |
| <b>Insurance</b>                               | Personnel related.   | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance, Joint Powers Agreement</b>       | Accreditation, MOU, agreements and agenda.   | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance Certificates</b>                  | Liability, performance bonds, employee bonds, property; insurance certificates filed separately from contracts, includes insurance filed by licensees. | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance, Liability/Property</b>           | May include liability, property, Certificates of Participation, deferred, use of facilities.   | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance Risk Management Reports</b>       | Federal and State OSHA forms; loss analysis report; safety reports; actuarial studies.   | 29 CFR 1904.44<br>GC 26202, 34090   | 5 years (Federal).<br>2 years (State).   |
| <b>Investment Reports Transactions</b>         | Summary of transactions, inventory and earnings report.  | GC 34090, 60201<br>CCP 337<br>Sec. of State Local Gov't. Records Retention Guidelines | Until audited + 4 years.<br><br>Sec. of State Guidelines recommends permanent retention. |
| <b>Invoices</b>                                | Copies sent for fees owed, billing, related documents.   | GC 26202, 34090   | Until audited + 2 years.   |
| <b>Legal Notices/Affidavits of Publication</b> | Notices of public hearings, proof of publication of notices.   | GC 26202, 34090   | 2 years.   |
| <b>Legal Opinions</b>                          | Confidential – not for public disclosure (attorney-client privilege).  | GC 26202, 34090   | Until superseded + 2 years.  |
| <b>Litigation</b>                              | Case files.  | GC 26202, 34090   | Until settled + 2 years.   |
| <b>Lobbying or Lobbyist Forms (FFPC forms)</b> | FFPC Form 602 – Lobbying Firm Activity Authorization; FFPC Form 635 – Report of Lobbyist Employer & Report of Lobbying Coalition – forms               | FFPC Reg. 18615(df)   | 5 years.   |

| TYPE OF RECORD                              | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD               |
|---|---|--|--|
|   | used when employing or contracting with a lobbying firm.  |  |  |
| <b>Maintenance Manuals</b>                  | Equipment service/maintenance.  | GC 26202, 34090  | Current + 2 years.                           |
| <b>Maintenance/Repair Records</b>           | Equipment.  | GC 26202, 34090  | 2 years.                                     |
| <b>Marketing, Promotional</b>               | Brochures, announcements, etc.  | GC 26202, 34090  | 2 years.                                     |
| <b>Minutes</b>                              | Meeting minutes: paper records are to be maintained permanently by the agency.  | GC 34090, 60201(d)(3)                                      | Permanent.<br>Originals cannot be destroyed. |
| <b>Newsletters</b>                          | May wish to retain permanently for historic reference.  | GC 26202, 34090  | 2 years.                                     |
| <b>Notices – Public Meetings</b>            | Special meetings.   | GC 26202, 34090  | 2 years.                                     |
| <b>Oaths of Office</b>                      | Elected and public officials – commissioners.   | GC 26202, 34090<br>29 USC 1113<br>Sec. of State Guidelines | Current + 6 years.                           |
| <b>OCERS – Employee Benefits</b>            | Retirement Plan.  | 29 USC 1027  | 6 years.                                     |
| <b>OSHA</b>                                 | OSHA Log 200, Supplementary Record, Annual Summary (Federal & State-Cal-OSHA); OSHA 300 Log, privacy case list, annual summary, OSHA 301 incident report forms. | LC 6410; 8 CCR 14307<br>29 CFR 1904.2 – 1904.6M, 1904.33   | 5 years.                                     |
| <b>Payroll – Federal/State Reports</b>      | Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports.  | GC 60201   | 7 years.                                     |
| <b>Payroll Deduction/ Authorizations</b>    | Finance.  | 29 CFR 516.6(c)<br>GC 60201                                | While current +7 years.                      |
| <b>Payroll, registers</b>                   | Finance – payroll, registers, payroll reports.  | 9 CFR 516.5(a) LC 1174(d)<br>GC 60201                      | 7 years from date of entry.                  |
| <b>Payroll records terminated employees</b> | Finance files.  | 29 CRF 516.5<br>GC 60201                                   | 7 years from date of last entry.             |
| <b>Payroll, timecards/sheets</b>            | Employee.   | 29 CFR 516.6<br>LC 1174                                    | 2 years.                                     |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY                                     | MINIMUM LEGAL RETENTION PERIOD                        |
|--|---|---|---|
|  |   | Sec. of State Local Gov't. Records Mgmt. Guidelines | Sec. of State recommendation: Until audited +6 years. |
| <b>Payroll – Wage Rates/ Job Classifications</b>               | Employee records.   | GC 60201  | While current +7 years.                               |
| <b>Personnel Records</b>                                       | Other records (not payroll) containing name, address, date of birth, occupation, etc., including records relating to promotion, demotion, transfer, lay-off, termination. | 29 CFR 1627.3                                       | 3 years.  |
| <b>Personnel Rules and Regulations</b>                         | Including employee handbook, employee manuals, and other policies/procedures.   | CFR 516.6, 1627.3(a)                                | Current + 3 years.                                    |
| <b>Petitions</b>   | Submitted to legislative bodies. <u>(Does not include Initiative Petitions)</u>   | GC 26202, 34090                                     | Current + 2 years.                                    |
| <b>Policies &amp; Procedures</b>                               | All policies and procedures adopted by the Commission; directives rendered by the agency did not assign a resolution number, Commission Bylaws.                           | GC 26202, 34090                                     | Current + 2 years.                                    |
| <b>Political Support/ Opposition, Requests &amp; Responses</b> | Related to legislation.   | GC 26202, 34090                                     | 2 years.  |
| <b>Press Releases</b>  | Related to OC LAFCO actions/activities.   | GC 26202, 34090                                     | 2 years.  |
| <b>Procedure Manuals</b>                                       | Administrative.   | GC 26202, 34090                                     | Current + 2 years.                                    |
| <b>Public Records Request</b>                                  | Request from the public to inspect or copy public documents.  | GC 26202, 34090, 60201(d)(5)                        | 2 years.  |
| <b>Purchasing FRQs, RFPs</b>                                   | Requests for Qualifications; Requests for Proposals – regarding goods and services.   | GC 26020, 34090                                     | Current + 2 years.                                    |
| <b>Purchasing, Requisitions, Purchase Orders</b>               | Original documents.   | GC 24090<br>CCP 337                                 | Until audited +4 years.                               |
| <b>Records – audio (e.g., for preparation of</b>               | Audio recordings of Commission “made for  | GC 54953.5  | Minimum 30 days.                                      |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY                         | MINIMUM LEGAL RETENTION PERIOD  |
|--|--|---|---|
| meeting minutes)   | whatever purpose by or at the direction of the local agency.”  |   |   |
| <b>Recordings, video – meetings of legislative bodies</b>  | Video recordings of public meetings made by or at the direction of the Commission.   | GC 54953.5                              | Minimum 30 days.  |
| <b>Recordings, video, other events</b>   | Other than video recordings of public meetings; considered duplicate records if another record of the same event is kept (i.e., written minutes or audio recording). | GC 53161                                | Minimum 90 days after event is recorded; if no other record of the event exists the recording must be kept 2 years. |
| <b><u>Recordings of routine video monitoring (e.g., building security recording systems)</u></b> | <b><u>General recordings of building and facility security systems</u></b>   | <b><u>GC 34090.6, 53160</u></b>         | <b><u>1 Year</u></b>  |
| <b>Records Management Disposition/Destruction Certification</b>                                  | Documentation of final disposition/destruction of records.   | GC 34090, 60201                         | Permanent.  |
| <b>Records Retention Schedules</b>   |  | GC 26202, 34090                         | Current + 2 years.  |
| <b>Recruitments and Selection</b>  | Records relating to hiring, promotion, selection for training.   | 29 CFR 1627.3                           | 3 years.  |
| <b>Requests for Qualifications (RFQs); Request for Proposals (RFPs)</b>                          | Request for Qualifications, Request for Proposals, and related responses.  | GC 26202 – 2 Years<br>CCP 337 – 4 Years | Current + 4 years.  |
| <b>Resolutions</b>   | Vital records – may be imaged, but originals can never be destroyed.   | GC 34090, 60201                         | Permanent.  |
| <b>Return Checks</b>   | Finance – Adjustments – NSF, etc. (not OC LAFCO checks).   | GC 26202, 34090<br>CCP 337              | Until audited + 4 years.  |
| <b>Salary/Compensation Studies, Surveys</b>  | Studies or surveys of other agencies regarding wages, salaries and other compensation benefits.  | GC 26202, 34090                         | While current + 2 years.  |
| <b>Social Media</b>  | Posts, comments, subscriber/follower lists, etc.   | GC 26202, 34090                         | While current + 2 years.  |

~~State Controller~~~~Annual Reports.~~~~GC 12465~~~~3 years.~~

|   |  |                             |   |
|---|--|-----------------------------|---|
| <del>Statement of Economic Interest (SEI) (FPPC Form 700) (originals—</del> | <del>Original SEIs of officers and employees designated in OC LAFCO’s Conflict of Interest Code.</del> | <del>GC 81009(e), (g)</del> | <del>7 years (can image after 2 years).</del> |
|---|--|-----------------------------|---|

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD  |
|--|---|--|---|
| <del>designated employees</del>  |   |  |   |
| <del>Statement of Economic Interest (SEI) (FPPC Form 700) (originals –designated employees</del><br><del>Stop payments</del> | <del>Original SEIs of officers and employees designated in OC LAFCO’s Conflict of Interest Code. Finance – bank statements.</del> | <del>GC 81009(e), (g)GC-26202, 34090</del>                   | <del>7 years (can image after 2 years).2 years.</del>                       |
| <b>Unemployment Insurance Records</b>  | Records relating to unemployment insurance – claims, payments, correspondence, etc.   | USC 3301 – 3311; Calif. Unemployment Insurance Code; CCP 343 | 4 years.  |
| <b>Vouchers – Payments</b>   | Account postings with supporting documents.   | GC 26202, 34090<br>CCP 337                                   | Until audited + 4 years.  |
| <b>Wage Garnishment</b>  | Wage or salary garnishment.   | OCP 337  | Active until garnishment is satisfied; then retain until audited + 4 years. |
| <b>Warrant Register/Check Register</b>   | Record of checks issued; approved by the Commission (copy is normally retained as part of agenda packet information).             | GC 26202, 34090  | Until audited + 2 years.  |
| <b>Workers Compensation Files</b>  | Work-injury claims (including denied claims); claim files, reports, etc.  | 8 CCR 10102<br>C CCR 15400.2                                 | Until settled + 5 years.  |

## Orange County Local Agency Formation Commission Records Retention and Destruction Policy

### I. PURPOSE

The purpose of this policy is to provide guidelines to staff regarding the retention of records of the Local Agency Formation Commission of Orange County (OC LAFCO); provide for the identification, maintenance, and safeguarding of OC LAFCO records and the destruction of obsolete records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

### II. POLICY

It is the policy of this Commission to retain OC LAFCO documents and other records in accordance with the retention schedule established in the attached table. The schedule follows the minimum retention periods mandated by the California Government Code, the California Code of Civil Procedure, the Code of Federal Regulations, the Secretary of State Local Government Records Management Guidelines, and other legal authorities cited.

### III. PROCEDURE

- A. The Commission Clerk completes and signs a “Destruction of Obsolete Records” form, listing the date and description of each document to be destroyed. A sample form is attached to this policy as Attachment “A.”

The Commission Clerk confirms that each document is: (1) not required to be permanently retained, or (2) has been retained for the legally required period of time. The Commission Clerk also confirms that any applicable reproduction requirements (i.e., imaging, etc.) for each document are complete. The Commission Clerk also verifies that the documents are not relevant to a lawsuit, a claim, a subpoena, an investigation, a litigation hold, a Public Records Act (Government Code §7920 - 7931 *et seq.*) request, an audit or similar proceeding, which is in progress or which can reasonably be anticipated.

- B. The Commission Clerk oversees the destruction of the obsolete documents, indicates the method of destruction on the form, signs the form, and retains the original signed form.

- C. The Commission Clerk will retain all original signed forms requesting destruction of obsolete records for a minimum period of two (2) years.
- D. The Commission Clerk will permanently retain a master log of all destroyed obsolete documents which includes the titles or brief descriptions of the obsolete documents that were destroyed, the method of destruction and the date of destruction.

#### **IV. GENERAL GUIDELINES**

- A. The Commission Clerk shall be responsible for the administration of this policy and shall assist all OC LAFCO personnel to comply with the provisions of this policy and with the Records Retention Schedule, set forth in Attachment "B."
- B. The following general guidelines apply to all OC LAFCO records.
  - 1. The Commission may authorize the destruction of any duplicate records at any time. (Government Code §26201 and §60200.)
  - 2. Unless otherwise required by State or Federal law, the Commission may authorize the destruction of any original document which is more than two (2) years old without retaining a copy of the document as long the retention and destruction of the document complies with the retention schedule as set forth in this policy. (Government Code §26202 and §60201.)
  - 3. In addition to the retention periods required under this policy, the Commission shall retain original administrative, legal, fiscal and/or historical records with continued value (i.e., records for long-term transactions and/or special projects) until all matters pertaining to such records are completely resolved or the time for appeals has expired. (Government Code §34090 and §60201, subd. (d)(10).)
  - 4. Pursuant to Government Code §60201, the Commission shall not destroy any of the following records:
    - a. Records relating to the formation, change of organization or reorganization of the Commission.
    - b. Ordinances and resolutions unless they have been repealed or have become invalid or otherwise unenforceable for five (5) years.
    - c. Minutes of any meeting of the Commission.

- d. Records relating to any pending claim, litigation, any settlement or other disposition of litigation within the past two (2) years.
- e. Records that are the subject of any pending request for records under the California Public Records Act (Government Code §7920-7931 *et seq.*), whether or not the record is exempt from disclosure, until the request has been granted or two (2) years after the request has been denied by the Commission.
- f. Records relating to any pending construction that the Commission has not accepted or for which a stop notice claim may be legally presented.
- g. Records relating to any non-discharged debt of the Commission.
- h. Records relating to the title to real property in which the Commission has an interest.
- i. Records relating to any non-discharged contract to which the Commission is a party.
- j. Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received.
- k. Unaccepted bids or proposals, which are less than two (2) years old, for the construction or installation of any building, structure or other public work.
- l. Records less than seven (7) years old that specify the amount of compensation or expense reimbursement paid to Commission employees, officers, or independent contractors.

#### C. Exceptions to Scheduled Destruction

Destruction of any record shall be postponed if that record is responsive to a subpoena, litigation hold or other request for preservation, a Public Records Act (Government Code §7920-7931 *et seq.*) request, an audit, or a claim filed against OC LAFCO. In addition, records that relate to any active litigation or potential litigation involving OC LAFCO shall be preserved until the litigation is resolved. OC LAFCO personnel who become aware of a subpoena, claim, Public Records Act request, etc., that affects records under their control shall use their best efforts, by any reasonable means available to them, to preserve those records. In such situations, OC LAFCO personnel shall contact the Commission Clerk regarding the affected records.



**V. SPECIFIC GUIDELINES****A. Accounting Records****1. Accounting records include, but are not limited to, the following:****a. Source Documents**

- Invoices.
- Warrants.
- Vouchers.
- Requisitions/Purchase Orders (attached to invoices).
- Cash Receipts.
- Claims (attached to warrants in place of invoices).
- Bank Statements.
- Bank Deposits.
- Checks.
- Bills.
- Various accounting authorizations taken from Commission minutes, resolutions or contracts.

**b. Journals**

- Cash Receipts.
- Accounts Receivable or Payable Register.
- Check or Warrant Register.
- General Journal.
- Payroll Journal.

**c. Ledgers**

- Expenditure.
- Revenue.
- Accounts Payable or Receivable Ledger.
- Assets/Depreciation.
- Warrants payable.
- Construction.
- General ledger.

**d. Trial Balance****e. Adjusting Entries****f. Statements (Interim or Certified – Individual or All Fund)**

- Balance Sheet.
- Analysis of Changes in Available Fund Balance.

- Cash Receipts and Disbursements.
  - Inventory of Fixed Assets (Purchasing).
- g. Journal Entries
- h. Reversing Entries
- i. Payroll and personnel records include but are not limited to the following:
- Accident reports, injury claims and settlements.
  - Applications, changes or terminations of employees.
  - Earnings records and summaries.
  - Fidelity bonds.
  - Garnishments.
  - Insurance records of employees.
  - Job descriptions.
  - Medical histories.
  - Retirements.
  - Timecards.
- j. Other
- Inventory Records (Purchasing).
  - Capital Asset Records (Purchasing).
  - Depreciation Schedule.
  - Cost Accounting Records.
2. General ledgers should be retained a minimum of four (4) years after completion of any annual audit (Code of Civ. Pro. §337). Published articles show retention periods of **four (4) to seven (7) years** as typical. However, the Secretary of State recommends that general ledgers be permanently retained. (Sec. of State Local Gov't Records Mgmt. Guidelines; Gov. Code §34090.)
3. In general, the Commission should retain original source documents that are detailed in a register, journal, ledger or statement **until audited plus four (4) years**. (Sec. of State Local Gov't Records Mgmt.) Certain source documents may be retained for a shorter period of time. Refer to the records retention schedule for specific accounting documents.
4. At any time, the Commission may destroy rough drafts, notes, working papers (except for audits) that are not retained by the Commission in the ordinary course of business, including temporary or transitory documents used only for controlling the flow of work (e.g., "Post-It®" notes).

5. In addition to any required legal retention period, the Commission shall not authorize the destruction of any record subject to audit until it has been determined that the audit has been performed. (Government Code §14755, subd. (b); Government Code §subd. (d)(10))
- B. Long-Term Debt Records
1. The Commission may destroy paid bonds, warrant certificates and interest coupons after **ten (10) years**. (Code of Civil Proc. §337.5.)
  2. The Commission may not destroy any documents relating to any non-discharged debt. (Government Code §60201, subd. (d)(7).)
- C. Commission Records
1. The Commission shall retain original records of the minutes of meetings of the Commission **indefinitely**. (Government Code §34090 and §60201)
  2. The Commission shall retain original ordinances and resolutions **indefinitely**. (Government Code §34090 and §60201.) However, ordinances or resolutions that have been repealed or are otherwise invalid or unenforceable may be destroyed after five (5) years. (Government Code §60201, subd. (2)(2).)
- D. Statements of Economic Interest (SEI) [Form 700] and Other Reports Filed Pursuant to the Political Reform Act (Government Code §81000 *et seq.*)
1. Filing officers shall retain original statements and reports for **seven (7) years**. (Government Code §81009 (c), (e).) After an original report or statement has been on file for at least two (2) years, the filing officer may retain an electronically imaged copy available for public inspection instead of the original report or statement. (Government Code §81009, subd. (g).)
  2. Filing officers shall retain copies of statements or reports for **four (4) years**. The officer does not have to keep more than one copy of a statement or report. (Government Code §81009 (f).) After a copy of a report or statement has been on file for at least two (2) years, the filing officer may retain an electronically imaged copy available for public inspection instead of the paper copy. (Government Code §81009, subd. (g).)
- E. Contracts
1. The Commission shall retain original contracts for **four (4) years** after completion of the contracts. (Code of Civ. Proc. §337.)

2. The Commission shall retain contracts with any person or entity that develops real property or furnishes the design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property for **ten (10) years** after the completion of the construction or improvement. (Code of Civ. Proc. §337.15.)

#### F. Property Records

The Commission shall retain original property records, such as title documents, **indefinitely**, or until the property is transferred or otherwise no longer owned by the Commission. (Government Code §34090 and §60201.)

#### G. Payroll and Personnel Records

1. Payroll and personnel records include, but are not limited to, the following:
  - a. Accident reports, injury claims and settlements.
  - b. Medical histories.
  - c. Injury frequency charts.
  - d. Applications, changes and terminations of employees.
  - e. Timecards.
  - f. Job descriptions.
  - g. Performance or rating documents.
  - h. Earning records and summaries.

Records specifying amounts of compensation or expense reimbursement paid to Commission employees, officers, or independent contractors must be retained for seven (7) years after date of payment. (Government Code §60201)

2. The Commission shall retain personnel files for **three (3) years** after an individual's employment terminates. (Labor Code §1198.5; 29 CFR 1627.3.)
3. The Commission shall retain medical records of employees who have been exposed to toxic substances or harmful physical agents for **thirty (30) years beyond the length of employment**. Such medical records shall include records made or maintained by a physician, nurse, or other healthcare personnel or technician pertaining to employees exposed to toxic substances or harmful physical agents. Such medical records do NOT include first aid records for one-time treatment made on-site by a non-physician or observation of minor scratches, cuts, burns, splinters, etc., which do not involve medical treatments, loss of consciousness, restriction of work or motion, or transfer to another job. (29 CFR 1910.1020; 8 Cal. Code Regs. §3204 (d)(1)(A)(B).)

For employees who are employed by the Commission for **less than one year**, the Commission does not need to retain the employee's medical records regarding exposure to hazardous substances if the Commission provides the employee with such records upon termination of employment. (Ibid.)

Routine medical records including first aid records for one-time treatment, observation of minor injuries, records relating to medical leave taken by employees with information including hours taken, notices, and policies, burns, splinters, etc., should be kept for the **length of employment plus three (3) years**. (29 CFR 825.500.)

4. The Commission may destroy personnel fidelity bonds **two (2) years** after separation. (Government Code §34090.) Wage garnishments must be retained while active until garnishment is satisfied, then retained until audited plus **four (4) years** after separation. (Ibid.)
5. The Commission shall retain payroll records containing the name, address, date of birth, gender, job classification, hours worked, and regular and overtime wages for each employee for **three (3) years** beyond the length of employment and **seven (7) years from date of payment** (29 CFR Part 516.5; Labor Code §1174 and §1197.5; Government Code §60201.) Payroll registers listing labor costs by employee and program should be retained for a minimum of **seven (7) years from date of payment**. Permanent retention of payroll registers is recommended in the Secretary of State Local Government Records Management Guidelines.
6. The Commission shall retain basic timecards or timesheets which are entered daily with the starting and stopping times of individual employees for a minimum of **three (3) years**. The Secretary of State Local Government Records Management Guidelines recommends retaining such documents for **six (6) years**. (29 CFR Part 516.6; Labor Code §1174; Sec. of State Local Gov't Records Mgmt. Guidelines.
7. The Commission shall retain employment applications and employment referral records and files for **two (2) years** after such records or files are created. (Government Code §12946; 29 CFR 1627.3.)
8. The Commission shall retain records regarding the race, gender, and national origin of each applicant and for the job for which such applicant applied for **two (2) years** from the date of the creation of the record or the date of the personnel action involved, whichever occurs later. The Commission may either retain the original documents used to identify applicants or keep statistical summaries of the collected information. (2 CCR §7287.0, subds. (b)(2), (c).)

#### H. Construction and Engineering Records

1. The Commission shall retain certain original construction records, such as bids, correspondence, and change orders, for **four (4) years** after project completion, unless the records pertain to a project which includes a guarantee or grant in which event they shall be retained for the **life of the guarantee or grant plus four (4) years**. The Commission shall retain as-built plans for any public facility or works as long as the facility exists.
2. The Commission may destroy unaccepted bids or proposals for public works after **two (2) years**. (Government Code §26202.1 and §60201.)
3. The Commission shall retain supporting documents on capital improvement projects, including bidder's lists, specifications, reports, plans, work orders, schedules, etc., for **ten (10) years after project completion**. (Code of Civ. Proc. §337.15.)

#### I. Exposure/Safety Records and Material Safety Data Sheets (MSDS).

1. The Commission shall retain employee exposure records and exposure assessment records for at least **thirty (30) years**. Such records should reveal the identity of the toxic substance or harmful physical agent and where and when such substance or agent was used. (8 Cal. Code Regs. §3204; 29 C.F.R. 1910.1020.)
2. The Commission may destroy the material safety data sheet (MSDS) for a hazardous substance after the Commission stops using the hazardous substance provided it keeps a record of the substance (chemical name if known) and when and where it was used for **thirty (30) years**. (8 Cal. Code Regs. §3204(d)(1)(B)(2); 29 C.F.R. 1910.1020 (d) (ii) (B).)

#### J. Video Monitoring, Telephone and Radio Communications; Other Video and Audio Recordings

1. The Commission shall retain recordings of **routine video monitoring** (e.g., building security recording systems) for at least **one (1) year**. After the one-year retention period, the Commission may destroy the video recording upon approval by the Commission. (Government Code §34090.6 and §53160.)
2. Upon authorization of the Commission, recordings of telephone and radio communications maintained by the Commission may be destroyed after **100 days**. (Government Code §34090.6.)

3. Video or audio recordings of Commission meetings made at the direction of the Commission, for whatever purposes, must be retained at **least 30 days after the meeting**. (Government Code §54953.5.)
  4. If the Commission keeps another record, such as written minutes, of an event (other than Commission meetings) that is recorded on video or digitally recorded, the Commission must keep the video recording of the event for **at least 90 days** after the occurrence of the event. **After 90 days**, the video recording may be destroyed or erased, upon approval by the Commission. (Government Code §34090.7 and §53161; 85 Ops. Cal. Atty. Gen. 256 (2002).)
- K. Records Retention Schedule

The “Records Retention Schedule” is attached to this policy as Attachment “B” and is incorporated herein by reference. This policy and the Records Retention Schedule comply with the records retention guidelines provided by the California Secretary of State and may be updated from time to time.

**Originally Adopted: 2/8/2006**  
**Last Reviewed: 3/13/2024**  
**Last Revised: 3/13/2024**

**ATTACHMENT "A"**

**REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS**



LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY

To: Records File
From: Commission Clerk
Subject: Destruction of Obsolete Records

The following obsolete records listed below were destroyed in accordance with OC LAFCO Records Retention and Destruction Policy.

Table with 2 columns: DATE OF RECORD, DESCRIPTION OF RECORD. The table contains 6 empty rows for data entry.

The obsolete records described above were destroyed under my supervision using the following method:

- Shredding
Other (specify method)

I certify that such destruction meets the requirements of the Records Retention and Destruction Policy of OC LAFCO and all applicable requirements of State and Federal law.

Commission Clerk

Date of Records Destruction

**ATTACHMENT "B"**

**RECORDS RETENTION SCHEDULE**

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD  |
|--|--|--|---|
| <b>Accident/Illness Reports (OSHA Reports)</b>           | <p>Not a public disclosable record: For Employee Medical Records &amp; Employee Exposure Records regarding exposure to toxic substances or harmful physical agents:</p> <ul style="list-style-type: none"> <li>• Includes Material Safety Data Sheets (MSDS).</li> <li>• Does not include records of health insurance claims maintained separate from employer’s records; first aid records of one- time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination.</li> </ul> | GC 6254(c) 8CCR 32304(d)(1)(A)(B)  | Duration of employment plus 30 years.   |
| <b>Accidents/Damage to OC LAFCO Property</b>             | Risk Management Administration.  | GC 340901<br>CCP 337.15  | 10 years  |
| <b>Accounting Records – General Ledger</b>               | General Ledger.  | GC 34090<br>CCP 337<br>Sec. of State Local Gov’t Records Mgmt. Guidelines    | <p>Until audited +4 years.</p> <p>Published articles show 4 - 7 years retention as typical.</p> <p>Sec. of State Guidelines recommends permanent retention.</p> |
| <b>Accounting Records – Permanent Books of accidents</b> | Records showing items of gross income, receipts and disbursement (including inventories per IRS regulations).  | 26 CFR 1.60001-1(c) & (e)  | Permanent   |
| <b>Accounts Payable</b>                                  | Journals, statements, asset inventories, account postings with supporting documents, vouchers, investments, invoices and   | CCP 337<br>26 CFR<br>31.6001-1(e) (2).<br>Sec. of State Local Gov’t. Records | <p>Until audited +4 years.</p> <p>7 years after date of payment.</p>  |

| TYPE OF RECORD   | DESCRIPTION OR<br>EXAMPLE OF RECORD   | LEGAL<br>AUTHORITY   | MINIMUM LEGAL<br>RETENTION<br>PERIOD   |
|--|---|--|--|
|  | back-up documents, purchase orders, petty cash, postage, OCERS reports, check requests, etc.<br><br>Expense reimbursement to employees & officers; travel expense reimbursements or travel compensation.  | Mgmt. Guidelines recommendation  |  |
| <b>Accounts Receivable</b>   | Receipts for deposited checks, coins, currency; reports, investments, receipt books, receipts, cash register tapes, payments for fees, permits, etc.  | 26 CFR 31.6001 – 1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines recommendation | Until audited +4 years.  |
| <b>Affidavits of Publication/Posting</b>                                   | Legal notices for public hearings, publication of ordinances, etc.  | GC 34090   | 2 years.   |
| <b>Agency Report of Consultants (FPPC Form 805)</b>                        | Identifies consultants hired by OC LAFCO who must file Form 700.  | 2 CCR 18734. GC 81009(e)   | 7 years.   |
| <b>Agency Report – Events and Ticket/Pass Distribution (FPPC Form 802)</b> | Report of tickets/passes; identifies persons who received ticket/passes and describes the public purpose for the distribution.  | GC 81009(e)  | Originals – 7 years.   |
| <b>Agency Report of Public Official Appointments (FPPC Form 806)</b>       | Report of additional compensation received by OC LAFCO officials when appointing themselves to committees, boards or commission of other public agencies, special districts, joint powers agencies or joint power authorities. Current report must be posted on OC LAFCO's website. | 2 CCR 18705.5; GC 34090.5  | Recommended retention; keep a copy of report for 2 years after removal from OC LAFCO's website.          |
| <b>Agenda/Agenda Packets</b>   | Original agendas, agenda packets, staff reports, and related attachments, supplemental items and documentation submitted by staff/public in relation to   | GC 34090<br>GC 34090.5   | Current +2 years.<br><br>Agency practice is to retain paper copies indefinitely for historical purposes. |

| TYPE OF RECORD                         | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD   |
|--|--|--|--|
|  | <p>agenda items.</p> <p>Paper copies of agenda packets should be maintained for 1 year as complete packets. Originals will later be imaged for permanent records retention; the imaged record may serve as the permanent record.</p> |  |  |
| <b>Agreements (see also Contracts)</b> | Original contracts and agreements and back-up materials, including leases, service/maintenance agreements, etc.  | CCP 337<br>CCP 337.2<br>CCP 343  | 4 years after termination/completion.  |
| <b>Annexations/ Reorganizations</b>    | Notices, Resolutions, Certificates of Completion; documents may be imaged, but the originals can never be destroyed.   | GC 34090<br>GC 60201 (d)(1)  | Permanent.   |
| <b>Annual Financial Report</b>         | May include independent auditor analysis.  | GC 26201, 34090<br>Sec. of State Local Gov't. Records Mgmt. Guidelines<br>GC 34090<br>GC 60201 | Permanent.   |
| <b>Articles of Incorporation</b>       |  | Guidelines GC 34090 (a)  | Permanent.   |
| <b>Audit Reports</b>                   | Financial services; internal and/or external reports.  | GC 34090; CCP 337; CCP 343<br>Sec. of State Local Gov't. Records Retention Guidelines          | <p>Minimum retention – Current +4 years.</p> <p>Sec. of State Guidelines recommends permanent retention [May be revised at a later time by Sec. of State or County officials].</p> |
| <b>Audit Hearing or Review</b>         | Documentation created and/or received in connection with an audit hearing or review.   | GC 26202, 34090  | 2 years.   |
| <b>Ballots – Special</b>               | Copies of ballots from   | GC 26202, 34090,   | 2 years.   |

| TYPE OF RECORD                                 | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY   | MINIMUM LEGAL RETENTION PERIOD  |
|--|--|---|---|
| <b>District elections</b>                      | elections of Special Districts (OC LAFCO members).   | 60201   |   |
| <b>Bank Account Reconciliations</b>            | Bank statements, receipts, certificates of deposit, etc.   | 26 CFR 31,6001-1(e)(2)  | Until audited + 4 years.<br><br>Sec. of State recommends until audited + 5 years. |
| <b>Behested Payment Report (FPPC Form 803)</b> | FPPC form used by elected officials to disclose payments made at their behest (\$5,000 or more from same source) for legislative, governmental, or charitable purposes.  | GC 81009, 82015(b)(3)(B)  | 7 years.  |
| <b>Brochures/ Publications</b>                 | Retain selected documents only for historic value.   | GC 26202, 34090   | 2 years.  |
| <b>Budget, Annual</b>                          | Annual operating budget approved by OC LAFCO.  | GC 26202, 34090; Sec. of State Local Gov't. Records Mgmt. Guidelines  | Until audited + 2 years.<br><br>Sec. of State recommends permanent retention.     |
| <b>Cal-OSHA</b>                                | Personnel logs, supplementary records; annual summary (Federal and State-Cal-OSHA)   | LC 6410; 8 CCR 14307  | 5 years.  |
| <b>Checks (issued by OC LAFCO)</b>             | OC LAFCO checks paid – expense reimbursements, payments to independent contractors, etc. Includes check copies; canceled and voided checks; electronic versions of checks.<br><br>OC LAFCO check paid to vendors; other OC LAFCO payments – includes check copies; canceled or voided checks; electronic versions of checks. | GC 60201(d)(12) CCP 337<br><br>Sec. of State Local Gov't. Records Mgmt. Guidelines; CCP 337; 26 CFR 31.6001-1(e)(2) | 7 years.<br><br>Until audited +4 years.   |
| <b>Citizen Feedback</b>                        | General correspondence.  | GC 26202, 34090   | 2 years.  |
| <b>Claims Against OC LAFCO</b>                 | Paid/Denied.   | GC 60201(d)(4); GC 25105.5  | Until settled +5 years.   |
| <b>Complaints/Requests</b>                     | Various files, not related to specific lawsuits involving  | GC 26202, 34090   | 2 years.  |

| TYPE OF RECORD  | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD                                |
|---|---|--|---|
|   | the agency and not otherwise specifically covered by the retention schedule.  |  |   |
| <b>Contracts</b>  | Original contracts and agreements and back-up materials, including leases, service/maintenance contracts, etc.  | CCP 337, 337.2, 343  | 4 years after termination/ completion.                        |
| <b>Correspondence</b>   | General correspondence, including letters and e-mail; various files, not otherwise specifically covered by the retention schedule.  | GC 26202 34090   | 2 years.  |
| <b>Deferred Compensation Reports</b>                          | Finance – pension/retirement funds.   | 29 CFR 516.5<br>29 CFR 1627.3  | 3 years.  |
| <b>Demographic/Statistical Data</b>                           |   | GC 26202, 34090  | Current +2 years.   |
| <b>Deposits, Receipts</b>                                     | Receipts for deposited checks, coins, currency.   | CCP 337; 26 CFR 31.6001-1(e)(2); Sec. of State Local Gov't. Records Mgmt. Guidelines | Until audited +4 years.                                       |
| <b>DMV Driver's Records, Reports (DMV Pull Notice System)</b> | Part of personnel records – not a public record.  | GC 34090<br>GC 6254(c) Sec. of State Local Gov't. Records Mgmt. Guidelines           | Until superseded (should receive new report every 12 months). |
| <b>Employee Files</b>   | Personnel – information may include release authorizations, certifications reassignments, outside employment, commendations, disciplinary actions, terminations, oaths of office, evaluations, pre-employee medicals, fingerprints, identification cards. | GC 12946<br>29 CFR 1627.3  | While current +3 years.                                       |
| <b>Employee Information Applicant Identification Records</b>  | Personnel – data recording race, sex, national origin of applicants.  | 2 CCR 7287(b) (c)(2)   | 2 years.  |
| <b>Employee Information,</b>                                  | Name, address, date of  | GC 12946   | 3 years.  |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD   |
|--|---|--|--|
| <b>General</b>   | birth, occupation.  | 29 CFR 1627.3<br>LC 1174   |  |
| <b>Employee Information, Payment</b>                                     | Rate of pay and weekly compensation earned.   | GC 60201   | 7 years.   |
| <b>Employee Programs</b>   | Includes EAP and Recognition.   | GC 26202, 34090<br>GC 12946  | Current +2 years.  |
| <b>Employee Recruitment</b>  | Alternate lists/logs, examination materials, examination answer sheets, job bulletins.  | GC 12946<br>GC 26202, 34090<br>29 CFR 1602 et. Seq.<br>29 CFR 1627.3 | Current +2 years.  |
| <b>Employee Reports</b>  | Employee statistics, benefit activity, liability loss.  | GC 26202, 34090  | Current +2 years.  |
| <b>Employee Rights – General</b>   |   | GC 12946<br>29 CFR 1602.31   | Length of employment + 2 years.  |
| <b>Employment Applications – Not Hired</b>                               | Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant.  | GC 26202, 34090<br>GC 12946<br>29 CFR 1627.3                         | 2 years.   |
| <b>Employment Eligibility Verification (I-9 Forms)</b>                   | Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986.   | 8 USC 1324a (b)(3)<br>Pub. Law 99-603                                | 3 years after date of hire, or 1 year after date of termination, whichever is later. |
| <b>Employment – Surveys and Studies</b>                                  | Includes classification, wage rates.  | GC 12946<br>GC 26202, 34090<br>29 CFR 516.6                          | 2 years.   |
| <b>Employment – Training Records, Non-Safety</b>                         | Volunteer program training – class training materials, internships.   | GC 34090<br>GC 12946   | Length of employment + 2 years.  |
| <b>Employment – Vehicle Mileage reimbursement Rates</b>                  | Annual Mileage reimbursements rates.  | GC 26202, 34090  | Until superseded + 2 years.  |
| <b>Environmental Quality California Environmental Quality Act (CEQA)</b> | Exemptions, Environmental Impact Reports, mitigation monitoring, Negative Declarations, Notices of Completion and Determination, comments, Statements of Overriding Considerations. | GC 34090, 60201<br>CEQA Guidelines                                   | Permanent.   |
| <b>Environmental Quality Environmental Review</b>                        | Correspondence, consultants, issues,  | GC 26202, 34090  | Completion + 2 years.  |



| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY   | MINIMUM LEGAL RETENTION PERIOD   |
|--|--|---|--|
|  | conservation.  |   |  |
| <b>ERISA Records</b>                                       | Employee Retirement Income Security Act of 1974 – plan reports, certified information filed, records of benefits due.                  | 29 USC 1027, 2059<br><i>La Barbera v. A. Morrison Trucking, Inc.</i><br>2011 US Dist.<br>LEXIS 16343<br>(E.D.N.Y. Feb 17, 2011) | 6 years.   |
| <b>Family and Medical Leave Act (FMLA) (Federal)</b>       | Records of leave taken, OC LAFCO policies relating to leave, notices communications relating to taking leave.                          | 29 CFR 825.500 GC 12946   | While employed + 3 years (Federal) or 2 years (State).   |
| <b>Fixed Assets Inventory</b>                              | Reflects purchase date, cost, account number.  | GC 26202, 34090   | Until audited + 2 years.   |
| <b>Fixed Assets Surplus Property</b>                       | Auction, disposal, listing of property.  | GC 26202, 34090<br>CCP 337  | Until audited + 4 years.   |
| <b>Forms</b>   | Administrative – blank.  |   | Until superseded.  |
| <b>Funds Transfers</b>                                     | Internal; bank transfers & wires.  | GC 26202, 34090   | Until audited + 2 years.   |
| <b>General Ledgers</b>                                     | All annual financial summaries.  | GC 34090<br>CCP 337<br>Sec. of State Local Gov't. Records Retention Guidelines  | Until audited + 4 years.<br><br>Sec. of State Guidelines recommends permanent retention [May be revised at a later time by Sec. of State or County officials]. |
| <b>Gift to Agency Report (FPPC Form 801)</b>               | FPPC form showing payment or donation made to OC LAFCO or to an OC LAFCO official and which can be accepted as being made to OC LAFCO. | FPPC Reg.<br>18944(c)(3)(F)(G); FPPC Fact Sheet: "Gifts to an Agency – Part 2"<br>GC 81009(e)                                   | Must be posted on agency website for 4 years (per FPPC Fact Sheet). Originals must be retained 7 years.  |
| <b>Gifts/Bequests</b>                                      | Receipts or other documentation.   | GC 34090  | Until completed + 2 years.   |
| <b>Grants – Successful Federal, State, or other grants</b> | Grant documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-             | GC 34090<br>24 CFR 570.502<br>24 CFR 85.42  | Until completed + 4 years.<br><br>Must see each individual grant for   |

| TYPE OF RECORD                                 | DESCRIPTION OR EXAMPLE OF RECORD   | LEGAL AUTHORITY   | MINIMUM LEGAL RETENTION PERIOD   |
|--|--|---|--|
|  | recipient dockets, environmental review, grant documents, inventory, consolidated plan, etc.   |   | retention requirements.  |
| <b>Grants – Unsuccessful</b>                   | Applications not entitled.   | GC 26202, 34090   | 2 years.   |
| <b>Insurance</b>                               | Personnel related.   | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance, Joint Powers Agreement</b>       | Accreditation, MOU, agreements and agenda.   | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance Certificates</b>                  | Liability, performance bonds, employee bonds, property; insurance certificates filed separately from contracts, includes insurance filed by licensees. | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance, Liability/Property</b>           | May include liability, property, Certificates of Participation, deferred, use of facilities.   | GC 26202, 34090   | Current + 2 years.   |
| <b>Insurance Risk Management Reports</b>       | Federal and State OSHA forms; loss analysis report; safety reports; actuarial studies.   | 29 CFR 1904.44<br>GC 26202, 34090   | 5 years (Federal).<br>2 years (State).   |
| <b>Investment Reports Transactions</b>         | Summary of transactions, inventory and earnings report.  | GC 34090, 60201<br>CCP 337<br>Sec. of State Local Gov't. Records Retention Guidelines | Until audited + 4 years.<br><br>Sec. of State Guidelines recommends permanent retention. |
| <b>Invoices</b>                                | Copies sent for fees owed, billing, related documents.   | GC 26202, 34090   | Until audited + 2 years.   |
| <b>Legal Notices/Affidavits of Publication</b> | Notices of public hearings, proof of publication of notices.   | GC 26202, 34090   | 2 years.   |
| <b>Legal Opinions</b>                          | Confidential – not for public disclosure (attorney-client privilege).  | GC 26202, 34090   | Until superseded + 2 years.  |
| <b>Litigation</b>                              | Case files.  | GC 26202, 34090   | Until settled + 2 years.   |
| <b>Lobbying or Lobbyist Forms (FFPC forms)</b> | FFPC Form 602 – Lobbying Firm Activity Authorization; FFPC Form 635 – Report of Lobbyist Employer & Report of Lobbying Coalition – forms               | FFPC Reg. 18615(f)  | 5 years.   |

| TYPE OF RECORD                              | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD               |
|---|---|--|--|
|   | used when employing or contracting with a lobbying firm.  |  |  |
| <b>Maintenance Manuals</b>                  | Equipment service/maintenance.  | GC 26202, 34090  | Current + 2 years.                           |
| <b>Maintenance/Repair Records</b>           | Equipment.  | GC 26202, 34090  | 2 years.                                     |
| <b>Marketing, Promotional</b>               | Brochures, announcements, etc.  | GC 26202, 34090  | 2 years.                                     |
| <b>Minutes</b>                              | Meeting minutes: paper records are to be maintained permanently by the agency.  | GC 34090, 60201(d)(3)                                      | Permanent.<br>Originals cannot be destroyed. |
| <b>Newsletters</b>                          | May wish to retain permanently for historic reference.  | GC 26202, 34090  | 2 years.                                     |
| <b>Notices – Public Meetings</b>            | Special meetings.   | GC 26202, 34090  | 2 years.                                     |
| <b>Oaths of Office</b>                      | Elected and public officials – commissioners.   | GC 26202, 34090<br>29 USC 1113<br>Sec. of State Guidelines | Current + 6 years.                           |
| <b>OCERS – Employee Benefits</b>            | Retirement Plan.  | 29 USC 1027  | 6 years.                                     |
| <b>OSHA</b>                                 | OSHA Log 200, Supplementary Record, Annual Summary (Federal & State-Cal-OSHA); OSHA 300 Log, privacy case list, annual summary, OSHA 301 incident report forms. | LC 6410; 8 CCR 14307<br>29 CFR 1904.2 – 1904.6M, 1904.33   | 5 years.                                     |
| <b>Payroll – Federal/State Reports</b>      | Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports.  | GC 60201   | 7 years.                                     |
| <b>Payroll Deduction/ Authorizations</b>    | Finance.  | 29 CFR 516.6(c)<br>GC 60201                                | While current +7 years.                      |
| <b>Payroll, registers</b>                   | Finance – payroll, registers, payroll reports.  | 9 CFR 516.5(a) LC 1174(d)<br>GC 60201                      | 7 years from date of entry.                  |
| <b>Payroll records terminated employees</b> | Finance files.  | 29 CFR 516.5<br>GC 60201                                   | 7 years from date of last entry.             |
| <b>Payroll, timecards/sheets</b>            | Employee.   | 29 CFR 516.6<br>LC 1174                                    | 2 years.                                     |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY                                     | MINIMUM LEGAL RETENTION PERIOD                        |
|--|---|---|---|
|  |   | Sec. of State Local Gov't. Records Mgmt. Guidelines | Sec. of State recommendation: Until audited +6 years. |
| <b>Payroll – Wage Rates/ Job Classifications</b>               | Employee records.   | GC 60201  | While current +7 years.                               |
| <b>Personnel Records</b>                                       | Other records (not payroll) containing name, address, date of birth, occupation, etc., including records relating to promotion, demotion, transfer, lay-off, termination. | 29 CFR 1627.3                                       | 3 years.  |
| <b>Personnel Rules and Regulations</b>                         | Including employee handbook, employee manuals, and other policies/procedures.   | CFR 516.6, 1627.3(a)                                | Current + 3 years.                                    |
| <b>Petitions</b>   | Submitted to legislative bodies. (Does not include Initiative Petitions)  | GC 26202, 34090                                     | Current + 2 years.                                    |
| <b>Policies &amp; Procedures</b>                               | All policies and procedures adopted by the Commission; directives rendered by the agency did not assign a resolution number, Commission Bylaws.                           | GC 26202, 34090                                     | Current + 2 years.                                    |
| <b>Political Support/ Opposition, Requests &amp; Responses</b> | Related to legislation.   | GC 26202, 34090                                     | 2 years.  |
| <b>Press Releases</b>  | Related to OC LAFCO actions/activities.   | GC 26202, 34090                                     | 2 years.  |
| <b>Procedure Manuals</b>                                       | Administrative.   | GC 26202, 34090                                     | Current + 2 years.                                    |
| <b>Public Records Request</b>                                  | Request from the public to inspect or copy public documents.  | GC 26202, 34090, 60201(d)(5)                        | 2 years.  |
| <b>Purchasing FRQs, RFPs</b>                                   | Requests for Qualifications; Requests for Proposals – regarding goods and services.   | GC 26020, 34090                                     | Current + 2 years.                                    |
| <b>Purchasing, Requisitions, Purchase Orders</b>               | Original documents.   | GC 24090<br>CCP 337                                 | Until audited +4 years.                               |
| <b>Records – audio (e.g., for preparation of</b>               | Audio recordings of Commission “made for  | GC 54953.5  | Minimum 30 days.                                      |

| TYPE OF RECORD  | DESCRIPTION OR<br>EXAMPLE OF RECORD  | LEGAL<br>AUTHORITY                      | MINIMUM LEGAL<br>RETENTION<br>PERIOD  |
|---|--|---|---|
| <b>meeting minutes)</b>   | whatever purpose by or at the direction of the local agency.”  |   |   |
| <b>Recordings, video – meetings of legislative bodies</b>                                 | Video recordings of public meetings made by or at the direction of the Commission.   | GC 54953.5                              | Minimum 30 days.  |
| <b>Recordings, video, other events</b>  | Other than video recordings of public meetings; considered duplicate records if another record of the same event is kept (i.e., written minutes or audio recording). | GC 53161                                | Minimum 90 days after event is recorded; if no other record of the event exists the recording must be kept 2 years. |
| <b>Recordings of routine video monitoring (e.g., building security recording systems)</b> | General recordings of building and facility security systems   | GC 34090.6, 53160                       | 1 Year  |
| <b>Records Management Disposition/Destruction Certification</b>                           | Documentation of final disposition/destruction of records.   | GC 34090, 60201                         | Permanent.  |
| <b>Records Retention Schedules</b>  |  | GC 26202, 34090                         | Current + 2 years.  |
| <b>Recruitments and Selection</b>   | Records relating to hiring, promotion, selection for training.   | 29 CFR 1627.3                           | 3 years.  |
| <b>Requests for Qualifications (RFQs); Request for Proposals (RFPs)</b>                   | Request for Qualifications, Request for Proposals, and related responses.  | GC 26202 – 2 Years<br>CCP 337 – 4 Years | Current + 4 years.  |
| <b>Resolutions</b>  | Vital records – may be imaged, but originals can never be destroyed.   | GC 34090, 60201                         | Permanent.  |
| <b>Return Checks</b>  | Finance – Adjustments – NSF, etc. (not OC LAFCO checks).   | GC 26202, 34090<br>CCP 337              | Until audited + 4 years.  |
| <b>Salary/Compensation Studies, Surveys</b>   | Studies or surveys of other agencies regarding wages, salaries and other compensation benefits.  | GC 26202, 34090                         | While current + 2 years.  |
| <b>Social Media</b>   | Posts, comments, subscriber/follower lists, etc.   | GC 26202, 34090                         | While current + 2 years.  |

| TYPE OF RECORD   | DESCRIPTION OR EXAMPLE OF RECORD  | LEGAL AUTHORITY  | MINIMUM LEGAL RETENTION PERIOD  |
|--|---|--|---|
| <b>Statement of Economic Interest (SEI) (FPPC Form 700) (originals –designated employees</b> | Original SEIs of officers and employees designated in OC LAFCO’s Conflict of Interest Code.                           | GC 81009(e), (g)   | 7 years (can image after 2 years).  |
| <b>Unemployment Insurance Records</b>  | Records relating to unemployment insurance – claims, payments, correspondence, etc.                                   | USC 3301 – 3311; Calif. Unemployment Insurance Code; CCP 343 | 4 years.  |
| <b>Vouchers – Payments</b>   | Account postings with supporting documents.   | GC 26202, 34090<br>CCP 337                                   | Until audited + 4 years.  |
| <b>Wage Garnishment</b>  | Wage or salary garnishment.   | OCP 337  | Active until garnishment is satisfied; then retain until audited + 4 years. |
| <b>Warrant Register/Check Register</b>   | Record of checks issued; approved by the Commission (copy is normally retained as part of agenda packet information). | GC 26202, 34090  | Until audited + 2 years.  |
| <b>Workers Compensation Files</b>  | Work-injury claims (including denied claims); claim files, reports, etc.  | 8 CCR 10102<br>C CCR 15400.2                                 | Until settled + 5 years.  |