RESOLUTION NO. 18-5

A RESOLUTION OF THE BOARD OF DIRECTORS OF DELTA CONVEYANCE DESIGN AND CONSTRUCTION JOINT POWERS AUTHORITY ADOPTING A RECORDS RETENTION POLICY

BACKGROUND

Sections 60200 through 60203 of the Government Code provide procedures regulating the retention of special district records and destruction of obsolete records for special districts.

The DCA desires to adopt a Records Retention Policy to manage documents within its control in a legally appropriately manner.

RESOLUTION

1. The Records Retention Policy, attached hereto as Exhibit "A" incorporated herein by reference and made a part hereof, is hereby adopted as the official Records Retention Policy of Delta Conveyance Design and Construction Joint Powers Authority (DCA).

2. The Board of Directors hereby finds that the Records Retention Policy complies with the California Secretary of State's Local Government Records Management Guidelines, as required under Government Code section 60201, subdivision (b)(2). The Board of Directors further finds that any obsolete records destroyed pursuant to the Records Retention Policy will not adversely affect the DCA or the public.

3. The Executive Director of the DCA and her designee are authorized to do any and all acts necessary to give effect to and comply with the terms and intent of the Records Retention Policy. The Executive Director and her designee shall be responsible for the administration of the retention of records and the destruction of obsolete records pursuant to the Records Retention Policy. In addition, the Executive Director and her designee are authorized to update or amend the Records Retention Policy as needed, without further approval from the Board of Directors, in order to stay current with Federal and State laws, as well as any other regulations regarding records retention.

4. Pursuant to Government Code sections 53161 and 60200, the Board of Directors hereby authorizes the Executive Director and her designee to destroy at any time any duplicate record, paper or document of the DCA, while the original, whether in paper or electronic format, is retained by the DCA for the legally required time period.

5. The Executive Director and her designee shall have ongoing authority, without further approval needed from the Board of Directors and with the approval of the

DCA's legal counsel provided herein, to authorize destruction of obsolete DCA records in accordance with the Records Retention Policy.

6. The Secretary of the Board of Directors shall certify to the passage and adoption of this Resolution.

* * * * *

This Resolution passed and adopted this 19 day of July, 2018, by the following vote:

Ayes: 4
Noes: -
Absent: -
Abstain: -

Tony Estremera, Board President

Attest:

Sarah Palmer, Secretary

EXHIBIT "A"

Records Type/ Description	Department	Retention	Legal Authority
Administrative Services			
Historical (any record of historical note or import)	Administration	PE	GC 34090
Affidavits of Publication, Posting	Administration	CU+2	GC 34090
Board Agenda packages	Administration	PE	GC 34090
Annexations, Reorganizations (i.e. Notices, Resolutions, Certificates of Completion)	Administration	PE	GC 60201(d)(1)
Articles of Incorporation and other records relating to formation	Administration	PE	GC 60201(d)(1)
Correspondence, General (all departments)	Administration	CU+2	GC 34090
Employee Travel Logs	Administration	CU+2	GC 34090
Minutes, Board	Administration	PE	GC 34090(e),GC 60201(d)(3)
Memos (All)	Administration	CU+2	GC 34090
Notices, Public Meetings	Administration	CU+2	GC 34090
Ordinances	Administration	PE	GC 34090(e),GC 60201(d)(3)
Policies (including expired)	Administration	EX +10	GC 34090
Policies, Administrative	Administration	SU+2	GC 34090
Policies, DCA Board	Administration	SU+2	GC 34090
Program Manuals (Staff Report, Training, etc.)	Administration	SU+2	GC 34090
Recordings, audio (for preparation of meeting minutes)	Administration	30 DAYS	GC 34090
Recordings, video (Board Meetings)	Administration	30 DAYS	GC 34090
Notes of Meetings (Project)	Administration	CU + 10	GC 34090
Notes of phone calls (Project)	Administration	CU +10	GC 34090
Reports, Consultants	Administration	SU+2	GC 34090
Resolutions	Administration	PE	GC 34090(d); 40806
Staff Reports	Administration	PE	GC 34090
Records Destruction Authorization Forms	Document Control	PE	GC 34090
Records Retention Schedule	Document Control	SU+4	GC 34090; CCP 343
Economic Interest Statements - Form 700 (elected official -copies, non-elected - originals)	HR	CU+4	GC 81009(f),(g)
Agency Report of Consultants (FPPC Form 805)	HR	CU+7	GC 81009
Agency Report – Events and Ticket/Pass Distribution (FPPC Form 802)	HR	CU +7	GC 81009
Agency Report of Public Official Appointments (FPPC Form 806)	HR	TE+2	GC 18702.5
Behested Payment Report (FPPC Form 803)	HR	CU +7	GC 81009
Gift to Agency Report (FPPC Form 801)	HR	CU+7	GC 81009
Conflict of Interest Code (FPPC)	HR	PE	GC 34090
Unemployment Insurance Records	HR	CU+4	CCP 337
Collective Bargaining Agreements (Labor agreements)	HR	PE	29 C.F.R. 516.5
Employment, ER/SA Record, Benefit plans	HR	CL+4	GC 34090
Family and Medical Leave Act (Federal)	HR	TE+5	29 C.F.R. 825.500

Records Type/ Description	Department	Retention	Legal Authority
DCA Drug & Alcohol/MIS reports	HR	CU+5	C.F.R. 49 C.F.R. 655.72
Recruitment Files	HR	CU+2	GC 34090
Employment, Personnel Files (Includes Application, Supplemental information; Employment, Employee Eligibility Verification (I-9) Training, Insurance, etc.)	HR	TE+5	GC 12946
Marketing Literature (Ads, outreach materials, etc.)	Marketing	CU+2	GC 34090
Press Releases	Marketing	CU+5	GC 34090
DEVELOPMENT SERVICES			
Capital Improvements, Construction	Engineering	PE	GC 34090
Engineering Project Files (includes AWW/FAWW, Exhibit A, minutes, design plans, estimates, comments & responses, traffic control plans, RFI's, inspection reports, submittals, specifications, encroachment permits, SWPPP , and drawings)	Engineering	CL+I0	CCP 337.15
Geotechnical reports	Engineering	SU+S	GC 34090(d)
Hydraulics and Hydrology Reports	Engineering	SU+S	GC 34090
Drainage Study	Engineering	SU+S	GC 34090(d)
Bridge Rating report	Engineering	PE	GC 34090
Drawings (As-Builts)	Engineering	PE	GC 34090
Photographs/Videos	Engineering	PE	GC 34090
Design drawings/specifications	Engineering	PE	GC 34090
Environmental Quality, Asbestos/CEQA (EIR/EIS)	Engineering	PE	GC 34090(a)
Facility Project Files (includes storm water reports)	Facilities	CL+I0	GC 34090
Leases; Facilities (Equipment)	Facilities	TE+S	CCP 337.2
Permits, Facilities (Equipment)	Facilities	SU+2	GC 34090
Contract Oversight Reports (Contract Deliverables)	Facilities	CU+3	GC 34090
Maintenance and Operation Warranties and Manuals	Facilities	Life+3	GC 34090(d)
Environmental testing/Exposure Monitoring	Facilities	SU+S	GC 34090; 40
Insurance Certificates, Lease or License	Real Estate	CU+I0	CCP 337.15
Permits, Right of Way	Real Estate	TE+6	GC 34090(a)
Denied Real Estate submittals	Real Estate	CL+2	GC 34090
Real Property; Abandonment, Acquisition , Disposition , Deeds, Titles, and Easements	Real Estate	PE	GC 34090
Real Property; Appraisals	Real Estate	CL+S	GC 34090
Real Property; Leases, Licenses	Real Estate	PE	CCP 337.2
Real Estate Surveys	Real Estate	PE	GC 34090(d)
Insurance Certificates, Real Estate	Real Estate	SU+S	GC 34090
FINANCE			
General Accounting (Non-grant related)	Finance	AU+4	CCP 337
Accounting, Permanent Books of Accounts	Finance	PE	
Annual Financial Reports (includes CAFR)	Finance	AU+4	CCP 337
Audit Hearing, Review, or Analysis	Finance	CU+2	GC 34090
Bonds, Authorizations, Public Hearing Records, Proposals, etc.	Finance	PE	GC 34090
Bonds, Final	Finance	CU+I0	CCP 337.5

Records Type/ Description	Department	Retention	Legal Authority
Bonds, Paid or Cancelled	Finance	CU+I0	CCP 337.5
Bonds, Unsold	Finance	CU+2	GC 34090
Employee Expense Reports	Finance	CU+7	GC 60201(d)(12)
Fixed Assets	Finance	CL+7	CCP 337
Ethics Training Records (AB 1234)	Finance	CU+5	GC 53235.2
General Reports, Financial (Includes Survey, Audits, Investments, State Controller etc.)	Finance	CU+2	GC 34090
Payroll	Finance	CU+7	GC 60201(d)(12)
Tax Records (State and Federal)	Finance	CU+7	17 C.F.R. 210.2-06
Vehicle Ownership & Title	Finance	UNTIL SOLD	VC 9900 et seq.
GENERAL COUNSEL			
Claims Filed Against the DCA	General Counsel	CL+2	GC 60201(d)(4)
Legal Opinions	General Counsel	SU+2	GC 34090
Litigation	General Counsel	CL+2	GC 60201(d)(4)
Audits (non-financial; Regulatory, Non -Regulatory)	Compliance	AU+7	GC 34090
Audits (Non-Financial; Internal)	Compliance	AU+7	GC 34091
Investigatory files (Internal)	Compliance	CL+S	CCP 337, 338, 342, GC 34090
Investigatory files (EEO)	Civil Rights	TE+2	GC 12946
Investigatory files (Title VI, UNRUH)	Civil Rights	CL+4	CCP 338,340
Reasonable Accommodations (includes Religious)	Civil Rights	TE+2	GC 12946 ,
Disparity Study	Civil Rights	CU+2	GC 34090
DBE Reports	Civil Rights	CU+2	GC 34090,
Employee Medical & Exposure Records (toxic substances or harmful physical agents)	Risk Management	TE+30	8 CCR 3204
Insurance Polices	Risk Management	CL+4	CCP 337
Insurance Certificates	Risk Management	SU+S	CCP 337, 338, 342
Public Records Request	Risk Management	U+2	GC 60201(d)(S); 34090
OSHA (Accident/Illness Reports)	Risk	TE+30	8 CCR 3204
Workers Compensation	Risk Management	CL+S	8 CCR 10102
INFORMATION TECHNOLOGY			
Licenses , Software	IT	TE+4	CCP 337
OPERATIONS			
Maintenance Manuals (Buses, vehicles, Rail, PTC, etc.)	Operations	CU+2	GC 34090
Performance Reports/Contract Deliverables	Operations	CL+4	CCP 337
Standard Operating Procedures	Operations	SU+2	GC 34090
PROCUREMENT AND CONTRACTS			
Procurement File: Successful-Non Construction, Non Public Works (including, but not limited to: : legal docs, contract, amendments, MOU, MOA, PO's, insurance bond termination docs, procurement summary form, Bid letter, legal opinion, sole source,	Procurement & Contracts	AU+5	GC 34090, CCP 337

Records Type/ Description	Department	Retention	Legal Authority
SC reports, RFP, RFSQ, RFB, IFB, abstracts , addendums, vendor submittals, bid, proposals, and protest docs.)			
Procurement File: Successful- Construction, and Public Works (including but not limited to: legal docs, contract , amendments, MOU, MOA, PO's, insurance bond termination docs, procurement summary form, Bid letter, legal opinion, sole source, IFB, abstracts, addendums, vendor submittals, bid, proposals, and protest docs.)	Procurement & Contracts	TE+15	CA Contracting Code
PLANNING			
Environmental Permits	Planning	PE	GC 34090
Storm Water Maintenance Program/Plan documents	Planning	SU+3	40 C.F.R. 122.26
SAFETY			
Accident Report (All Modes)	Safety	CL+3	CCP 335.1
Accident, Damage to DCA Property	Safety	CL+4	GC 34090, CCP 338
Plans, (Emergency, Safety)	Safety	SU+2	GC 34090
Hazardous Materials (Waste Disposal, Storage, Permits)	Safety	PE	GC 34090
Investigatory Files (Safety)	Safety	CL+5	GC 34090

Retention Codes
AU= Audit
CU= Current
CL= Closed/Completed
PE= Permanent
EX= Expired
SU = Superseded
TE= Terminated