

Attachment A

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**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 14-_____

Resolution of the Monterey County Board of Supervisors to:)
a. Approve the Records Retention Schedule for Resource Management Agency (RMA) Planning for the storage and/or destruction of County records as set forth by federal and state laws, county codes, and policies; and)
b. Authorize the Director of RMA-Planning or his or her designee to destroy or cause the destruction of County records in accordance with the approved Records Retention Schedule for Resource Management Agency (RMA) Planning.)
(REF140036/RMA-Planning Records Retention Schedule))

RECITALS

WHEREAS, the Records Retention Schedule for Resource Management Agency (RMA) Planning (hereafter “Schedule”), attached hereto as Exhibit A and incorporated herein by reference, sets forth retention periods for the records of RMA-Planning;

WHEREAS, California Government Code section 26201 provides that the Board of Supervisors may authorize at any time the destruction or disposition of any duplicate record, paper, or document, the original or permanent photographic reproduction of which is in the files of any officer or department of the County;

WHEREAS, California Government Code section 26202 provides that the Board of Supervisors may authorize the destruction or disposition of any record, paper, or document which is more than two years old and which was prepared or received in any manner other than pursuant to a state statute or county charter;

WHEREAS, California Government Code section 26202 provides that the Board of Supervisors may authorize the destruction or disposition of any record, paper or document which is more than two years old, which was prepared or received pursuant to state statute or county charter, and which is not expressly required by law to be filed and preserved if the board determines by four-fifths (4/5) vote that the retention of any such record, paper or document is no longer necessary or required for county purposes. Such records, papers or documents need not be photographed, reproduced or microfilmed prior to destruction and no copy thereof need be retained;

WHEREAS, California Government Code section 26205 provides that the Board of Supervisors may authorize the destruction of any record, paper, or document that is not expressly required by law to be filed and preserved if all of the following conditions are complied with:

(a) The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, or reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document and is produced in compliance with Section 12168.7 for recording of permanent records or nonpermanent records.

(b) The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one that accurately reproduces the original thereof in all details and which does not permit additions, deletions, or changes to the original document images.

(c) The photographs, microphotographs, electronically recorded video images on magnetic surfaces, records in the electronic data processing system, records recorded on optical disk, or other reproductions on film or any other medium are placed in conveniently accessible files and provision is made for preserving, examining, and using the files;

WHEREAS, California Government Code section 26205.1 provides that the Board of Supervisors may adopt a resolution authorizing a county officer having custody of nonjudicial public records, documents, instruments, books, and papers to destroy such records if the records prepared or received other than pursuant to a state statute or county charter and are not expressly required by law to be filed and preserved;

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section 15062 (c) (2) provides that the local agency shall retain the notice of exemption for not less than 12 months;

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section 15075 (e) provides that the local agency shall retain the notice of determination for a negative declaration or mitigated negative declaration for not less than 12 months;

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section 15094 (e) provides that the local agency shall retain the notice of determination for an environmental impact report for not less than 12 months;

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section 15095 (c) provides that the local agency shall retain one or more copies of the final EIR as public records for a reasonable period of time;

WHEREAS, California Environmental Quality Act (CEQA) Guidelines section 15208 provides that comments received through the consultation process shall be retained for a reasonable period and available for public inspection at an address given in the final EIR. Comments which may be received on a draft EIR or Negative Declaration under preparation shall also be considered and kept on file;

WHEREAS, Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code, Sections 2710-2796) section 2773.1 (a) (2) provides that the financial assurances of each surface mining operation shall remain in effect for the duration of the surface mining operation and any additional period until reclamation is completed;

WHEREAS, Surface Mining and Reclamation Act Regulations section 3504 provides that the lead agency shall establish and maintain in-house measures and procedures to ensure organized record-keeping and monitoring of surface mining reclamation under its jurisdiction;

WHEREAS, Monterey County Board of Supervisors approved and adopted the County of Monterey Records Management Policy on July 1, 2014 which included a cross departmental records retention schedule;

WHEREAS, the retention periods set forth in the Schedule meet or exceed the retention periods required by state law;

WHEREAS, the Schedule is beneficial and serves the public welfare because it establishes uniform standards for management of records; saves office and storage space by allowing the destructions of records that are no longer necessary or required for County purposes; and protects and preserves records of legal, historical, research, and informational value for future reference; and

WHEREAS, the Board of Supervisors finds that RMA-Planning records whose destruction is hereby authorized are records that meet one or more of the following criteria: are duplicates of original records kept by other agencies; are not records prepared or received pursuant to state law; are records for which any statutorily-required minimum retention period has been satisfied; are records not expressly required by law to be filed and preserved by RMA-Planning; or are records that, if prepared or received pursuant to a state statute, are not expressly required by law to be filed and preserved and will no longer be necessary or required for County purposes after the retention period prescribed in the Schedule.

DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Monterey does hereby:

- a. Approve the Records Retention Schedule for Resource Management Agency (RMA) Planning for the storage and/or destruction of County records as set forth by federal and state laws, county codes, and policies attached hereto as Exhibit A and incorporated herein by reference; and
- b. Authorize the Director of RMA-Planning or his or her designee to destroy or cause the destruction of County records in accordance with the approved Records Retention Schedule for Resource Management Agency (RMA) Planning.

PASSED AND ADOPTED on this 26th day of August, 2014, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book___ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

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Record Series Code	Record Series Title	Record Series Description	Retention Periods			Justification	Disposition	Confidential or Sensitive Record
			Office*	RRC	Electronic			
005	300 foot list	A list of names and addresses of property owners within 300 feet of the project site.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete	
005	Advisory Committee Agendas	Agendas from advisory committees, design review committees, or the airport land use commission.	None	None	CY+2Y	GC § 26202	Shred/Delete	
005	Advisory Committee Minutes	Minutes from advisory committees, design review committees, or the airport land use commission.	CY+2Y	None	P	GC § 26205	Retain permanently in electronic format.	
005	Affidavit of Posting	An affidavit stating that the public notices were posted prior to a public hearing and where they were posted.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete	
005	Appeal-Board of Supervisors	Completed application and justification for an appeal of a project to the Board of Supervisors.	F+2Y	None	None	GC § 26201; original document is on file with the Clerk of the Board.	Shred/Delete	
005	Appeal-Planning Commission	Completed application and justification for an appeal of a project to the Planning Commission.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete	
005	Application	Completed application for project.	P	P	P	GC § 26205	Retain permanently	
005	Application Checklist	Checklist for applicant stating what is required for submittal.	F+2Y	None	None	GC § 26202	Shred/Delete	
005	Application Request	Form to start the application process.	F+2Y	None	None	GC § 26202	Shred/Delete	
005	Application Scope of Work Statement	Attached to the Application Request Form; provides answers to questions to assist with assessing permits needed.	P	P	P	GC § 26205	Retain permanently	
005	Assessor's Parcel Map	Map from Assessor's Map Book showing parcel location and configuration.	F+2Y	None	None	GC § 26202	Shred/Delete	
005	Comments on Environmental Review	Comments on Negative Declarations, Mitigated Negative Declarations, or EIRs circulated for public review.	F+2Y	None	F+2Y	CEQA Guidelines § 15208	Shred/Delete	

F = FINAL DECISION (APPEALS AND LITIGATION HAVE CONCLUDED)
 CL = CLEARED ALL CONDITIONS FOR ALL PHASES
 CY = CALENDAR YEAR
 P = PERMANENT
 Y = YEARS

*RECORDS WILL BE MAINTAINED IN THE OFFICE OR THE RRC IF SPACE IS NEEDED

REVISED 8/11/2014

Record Series Code	Record Series Title	Record Series Description	Retention Periods			Justification	Disposition	Confidential or Sensitive Record
			Office*	RRC	Electronic			
005	Complete/Incomplete Letter	Letter to owner/applicant addressing completeness or incompleteness of application submittal.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete	
005	Condition Compliance Documentation	Documents demonstrating compliance with the conditions imposed on a project.	P	P	P	GC § 26205	Retain permanently	
005	Copies or Duplicate Documents	Extra copies of documents or documents for which a department is not the office of record.	None	None	None	GC § 26201; pursuant to County of Monterey's Records Management Policy	Shred/Delete	
005	Construction Management Plan	Plan that addresses general operations (e.g. hours, parking, construction materials, debris management) on a project site and measures to minimize traffic impacts during construction.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete; retain permanently if not attached to Resolution.	
005	Correspondence	Routine correspondence received by or sent by Department; may include letters, memos and notes.	F+2Y	None	F+2Y	GC § 26202; pursuant to County of Monterey's Records Management Policy	Shred/Delete	
003	Design Approval Form	Completed application for a design approval.	P	P	P	GC § 26205	Retain permanently	
041	Development Review Committee (DRC) applications and Pre-Application Conferences	Application and materials submitted for review prior to submitting a formal application.	CY+2Y	None	CY+2Y	GC § 26202	Shred/delete according to schedule if no formal application is made.	
005	Drafts of Documents	Documents not in final form.	None	None	None	GC § 26202	Shred/Delete	
009	EIR - Administrative Draft (ADEIR)	Internal review copy of an Environmental Impact Report.	F+2Y	None	None	GC § 26202	Shred/Delete	
009	EIR - Draft (DEIR)	Draft environmental document released for public review; this document + RDEIR + FEIR = complete environmental document.	P	P	P	CEQA Guidelines § 15095 (c)	Retain permanently	

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009	EIR - Draft Recirculated (RDEIR)	Recirculated portion of a draft environmental document released for public review; this document + DEIR + FEIR = complete Final environmental document.	P	P	P	CEQA Guidelines § 15095 (c)	Retain permanently	
009	EIR - Final (FEIR)	The responses to comments on the DEIR and RDEIR released for public review; this document + DEIR + RDEIR = complete Final environmental document.	P	P	P	CEQA Guidelines § 15095 (c)	Retain permanently	
005	General Development Plan	Plan that addresses the uses permitted, not permitted, the site improvements, and general operations permitted on a an industrial-zoned site.	F+2Y	None	F+ 2Y	GC § 26202	Shred/Delete; retain permanently if not attached to Resolution.	
005	IDR Referral Checklist	Checklist of departments that review the application materials.	F+2Y	None	None	GC § 26202	Shred/Delete	
005	IDR Referral Forms	Comments/conditions from agencies reviewing the application materials.	F+2Y	None	None	GC § 26202	Shred/Delete	
005	Initial Study (Negative Declaration (ND))	Draft environmental document released for public review.	F+2Y	None	CL+2Y	GC § 26202	Shred/Delete	
005	Initial Study (Mitigated Negative Declaration (MND))	Draft environmental document with mitigation measures released for public review.	P	P	P	GC § 26205	Retain permanently	
005	Initial Study Checklist	Checklist used to develop the initial study.	None	None	None	GC § 26202	Shred/Delete once environmental document is released for public review.	
005	Interested Parties List	List of members or the public that requested to receive information on the project during the process.	CL+2Y	None	None	GC § 26202	Shred/Delete	

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			Office*	RRC	Electronic			
005	Justification Letters (variance or slope)	Letters justifying why a variance should be considered or justifying development on slopes.	F+2Y	None	None	GC § 26202	Shred/Delete	
005	Legal Description	legal description of the property where development is allowed.	F+2Y	None	None	GC § 26202	Shred/Delete	
012	Library files	Reports submitted for a project. Documents are saved as LIB files and not in the PLN file.	P	P	P	GC § 26205	Retain permanently	Archaeological Reports are confidential documents
021	Long Range Planning Records	Documents related to the implementation of the General Plan (ordinances and programs) and Local Coastal program updates.	F+2Y	P	P	GC § 26202	Retain permanently until a revised General Plan, revised Local Coastal program or revised ordinances are adopted.	
003	Materials/Colors	Samples of the building materials and colors selected for projects requiring design review.	P	P	P	GC § 26205	Retain permanently	
005	Notice of Completion	Document that is filed with the Office of Planning and Research notifying the public that an EIR has been prepared.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete	
005	Notice of Determination	A notice filed after a project has been approved with a ND or MND.	F+1Y	None	F+1Y	PRC § 21152 (c); CEQA Guidelines § 15075 (e)	Shred/Delete	
005	Notice of Determination	A notice filed after a project has been approved with an EIR.	F+1Y	None	F+1Y	PRC § 21152 (c); CEQA Guidelines § 15094 (e)	Shred/Delete	
005	Notice of Exemption	A notice filed after a project has been approved with an exemption from CEQA.	F+1Y	None	F+1Y	PRC § 21152 (c); CEQA Guidelines § 15062 (c) (2)	Shred/Delete	
005	Photographs	Pictures of the project and project site; may be stored in a PowerPoint format.	F+2Y	None	CL+2Y	GC § 26202	Shred/Delete	
005	Plans (as approved)	Blueprints of the approved project.	P	P	P	GC § 26205	Retain permanently	

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005	Project Review Form	Form used by staff to summarize project elements.	F+2Y	None	None	GC § 26202	Shred/Delete	
007, 011	Public Hearing Agendas	Agendas for Planning Commission, Subdivision Committee, Zoning Administrator, and Administrative Decisions.	None	None	CY+2Y	GC § 26202	Shred/Delete	
007, 011	Public Hearing Audio / Video recordings	Audio and/or video recordings of Planning Commission, Subdivision Committee, and Zoning Administrator hearings.	P	P	P	GC § 26205	Retain permanently	
007, 011	Public Hearing Minutes	Minutes from Planning Commission, Subdivision Committee, and Zoning Administrator hearings.	CY+2Y	None	P	GC § 26205	Retain permanently in electronic format.	
005	Public Hearing Notices	Notices published in the newspaper prior to deciding a project.	F+2Y	None	None	GC § 26202	Shred/Delete	
007, 011	Public Hearing Packets	Full packet for Planning Commission or Zoning Administrator hearings consisting of the agenda and staff reports.	Current CY	P	None	GC § 26205	Retain permanently	
005	Resolution	Written determination of the final action on a project.	P	P	P	GC § 26205	Retain permanently	
005	Returned Mail	Mail returned to sender as undeliverable.	CY+2Y	None	None	GC § 26202; pursuant to County of Monterey's Records Management Policy	Shred/Delete	
005	SMARA Financial Assurance Mechanism (FAM)	The financial mechanism equivalent or greater than the FACE and used to guarantee reclamation of the lands affected by surface mining operations. FAMs include surety bonds, irrevocable letters of credit, or trust funds.	P	None	None	Surface Mining and Reclamation Act of 1975 (SMARA) § 2773.1 (a) (2)	Retain permanently until a new FAM is approved or until mine has been fully reclaimed.	

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			Office*	RRC	Electronic			
005	SMARA Financial Assurance Cost Estimate (FACE)	The estimated cost to reclaim the lands affected by surface mining operations.	P	P	P	Surface Mining and Reclamation Act of 1975 (SMARA) § 2773.1 (a) (2)	Retain permanently until a new FACE is approved or until mine has been fully reclaimed.	
005	SMARA Inspection Forms	Forms produced as a result of the annual inspection on a mine. Forms include annual letters, annual inspection reports, MMRC-1, and MMRC-2.	P	P	P	Surface Mining and Reclamation Act Regulations § 3504	Retain permanently	
005	SMARA Reclamation Plan	A mine operator's approved plan for reclaiming the lands affected by surface mining operations.	P	P	P	Surface Mining and Reclamation Act Regulations § 3504	Retain permanently until a new or revised RP has been approved and until mine has been fully reclaimed.	
005	SMARA Use Permit/Operations Plan	A mine operator's approved plan for surface mining operations.	P	P	P	Surface Mining and Reclamation Act Regulations § 3504	Retain permanently until a new or revised UP/OP has been approved and until mine has been fully reclaimed.	
005	Staff Meeting Notes	Project-related meeting notes.	F+2Y	None	None	Pursuant to the County of Monterey's Records Management Policy, notes that are not retained by the County in the ordinary course of business should be destroyed when they are no longer useful for reference.	Shred/Delete	
005	Staff Report	Report used by appropriate authority to determine approval or denial of a project.	P	P	P	GC § 26205	Shred/Delete	

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			Office*	RRC	Electronic			
005	State Clearinghouse Letters	Correspondence from the State Clearinghouse.	F+2Y	None	F+2Y	GC § 26202; pursuant to County of Monterey's Records Management Policy	Shred/Delete	
005	Storm Water Pollution Prevention Plan (SWPPP)- if required by a condition of approval	Document that includes BMPs to show how a construction project will minimize storm water pollution.	CL+2Y	None	CL+2Y	GC § 26202	Shred/Delete prior to retention period if a Notice of Termination (NOT) is filed with the State Water Resources Control Board (SWRCB)	
005	Supplemental Application (Coastal)	Completed application for project within the coastal zone.	P	P	P	GC § 26205	Retain permanently	
005	Technical Reports	Reports submitted for a project. Documents are saved as LIB files and not in the PLN Documents module.	P	P	P	GC § 26205	Retain permanently	Archaeological Reports are confidential documents
037	Tree Removal Permits	Applications, reports, photographs, and other materials submitted or generated for Inland Tree Removal Permits and Coastal Waivers.	None	None	P	GC § 26202	Retain permanently in electronic format.	
005	Vicinity Map	Map prepared to show the project area.	F+2Y	None	F+2Y	GC § 26202	Shred/Delete	
005	Written Public Comment	Correspondence from the public on a project.	F+2Y	None	F+2Y	GC § 26202; pursuant to County of Monterey's Records Management Policy	Shred/Delete	

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