

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

Resolution No. _____

Adopt Resolution approving the Records)
Retention Schedule for the Resource)
Management Agency – Public Works &)
Facilities for storage and/or destruction of)
County records as set forth by federal and state)
laws, county codes, and policies; and Authorize)
the Deputy Director of Public)
Works & Facilities or designee to destroy or)
cause the destruction of County records in)
accordance with the approved Records)
Retention Schedule for the Resource)
Management Agency - Public Works &)
Facilities.

RECITALS

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

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 (2) 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 (2) 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, micro-photographed, 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 non-judicial 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, Monterey County Board of Supervisors approved and adopted the County of Monterey Records Management Policy on July 1, 2014 which included the Countywide Cross Departmental Records Retention Schedule;

WHEREAS, the Schedule incorporates herein by this reference said cross departmental records retention schedule as may be amended from time to time;

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-PW records whose destruction is hereby authorized are records that meet one (1) 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-PW; 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:

1. Approve the Records Retention Schedule for the Resource Management Agency – Public Works & Facilities for the storage and/or destruction of County records as set forth by federal and state laws, county codes, and policies which is attached hereto as Exhibit A and incorporated herein by this reference.

2. Authorize the Deputy Director of Public Works & Facilities or designee to destroy or cause the destruction of County records in accordance with the approved Records Retention Schedule for the Resource Management Agency – Public Works & Facilities.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____ carried this ____ day of _____ 2016, 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