

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2022-23

A RESOLUTION ESTABLISHING A CONTINUOUS RECORDS RETENTION AND
DESTRUCTION SCHEDULE AND ELECTRONIC STORAGE FOR THE COMMUNITY
DEVELOPMENT DEPARTMENT

WHEREAS, the County of Lake has an obligation to maintain County records as required by the applicable state and federal laws and regulations; and

WHEREAS, over time, these records require more and more storage space and many of the records have neither ongoing nor historical significance; and

WHEREAS, the purpose of a records retention and destruction schedule is to implement an orderly and controlled means of maintaining and destroying records on a continuing basis; and

WHEREAS, Government Code section 26200 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 in any manner other than pursuant to state statute or county charter; and

WHEREAS, Government Code section 26200 further provides that the Board of Supervisors may, by a four-fifths vote, authorize the destruction of records prepared or received pursuant to state or federal statute where those records have been maintained for the required period of time and the Board has determined the retention of those records is no longer necessary or required for County purposes; and

WHEREAS, Government Code section 26205 allows the Board of Supervisors, at the request of a County officer, to authorize the destruction of any County record that is not expressly required by law to be filed and preserved if the record is electronically recorded on a trusted system, does not permit additions, deletions, or changes to the original document, is produced in compliance with Government Code section 12168.7, accurately reproduces the original record in all details, and is conveniently accessible, and if a duplicate copy of the electronic record contained in the trusted system that does not permit additions, deletions, or changes to the original document images is also separately maintained; and

WHEREAS, the Community Development Department has established a trusted system for the conversion of certain hardcopy official records to electronic records pursuant to Government Code section 26205; and

WHEREAS, Government Code Section 26205.1 provides for the destruction by a county officer having custody of non-judicial public records, documents, instruments, books and papers if the board of supervisors has adopted a resolution authorizing the officer to destroy such records; and

WHEREAS, the Community Development Department seeks permission to destroy those records, papers, and documents pursuant to the schedule provided in Exhibit "A" hereto if said records have no apparent historical significance and/or administrative value; and

WHEREAS, the Community Development Department seeks permission to convert those hardcopy records which must be retained, but are not required to be retained in hard copy, to electronic records pursuant to the schedule provided in Exhibit "B" hereto.

NOW, THEREFORE, BE IT RESOVLVED that the County of Board of Supervisors hereby finds and declares the following:

1. The Board of Supervisors finds there is a need for an orderly and controlled plan for the retention and systematic destruction of certain records, papers, and documents in the Community Development Department, which are no longer needed or required for County purposes.
2. The Community Development Director is hereby granted continuing authorization to retain and/or destroy records, papers, and/or documents in the possession of that department and described in the Community Development Department Records Retention and Destruction Schedule, which is attached hereto as Exhibit "A" and incorporated herein by reference.
3. Based upon the assurances of the Community Development Department County that its electronic records system is a "trusted system" as required by state law, the Board of Supervisors grants the Director of the Community Development Department the continuing authority to destroy the original hardcopy of the Official Records and maintain such Official Records electronically for the records' applicable retention period.
4. The Community Development Department is hereby directed that should notice of litigation, reasonably anticipated litigation, or an audit or records request is received by the Department prior to the expiration of the applicable retention period of County records, the scheduled destruction and/or deletion of any relevant County records and/or converted electronic records shall be suspended by the Director until final resolution of litigation, audit and/or records request is concluded.

THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Supervisors of the County of Lake, State of California, at a regular meeting thereof on March 1, 2022 by the following vote:

AYES: Supervisors Sabatier, Scott, Pyska, and Crandell

NOES: None

ABSENT OR NOT VOTING: Supervisor Simon


Eddie Crandell (Mar 1, 2022 18:26 PST)

CHAIR, Board of Supervisors

ATTEST: CAROL J. HUCHINGSON
Clerk of the Board of Supervisors

APPROVED AS TO FORM:
ANITA L. GRANT
County Counsel

By: 
Johanna DeLong (Mar 1, 2022 17:54 PST)

By: _____



EXHIBIT "A"

LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT RECORDS RETENTION AND DESTRUCTION SCHEDULE

<u>TITLE</u>	<u>DESCRIPTION</u>	<u>OFFICIAL RECORD RETENTION*</u>
Code Enforcement	Case Files, including inspections, complaints, correspondence, reports, notices of violations, photographs, administrative citations. Includes building, housing, inspection records, rubbish and weed abatement, vehicle abatement, hazardous vegetation	Closed/completion + 2 years
Environmental	Correspondence, extension letters, conditions of approval, title reports, project photographs	Closed/Permit issued + 2 years
Bids	Bid and bid proposal documents – unaccepted	2 years after bid awarded (Accepted bid should be retained with the contract)
Contracts	Includes records documenting purchasing/services, Agreements, change orders, and related documents	3 years after completion
PRA	PRA requests	2 years after completion
Flood Records		2 years after current year

<u>TITLE</u>	<u>DESCRIPTION</u>	<u>OFFICIAL RECORD RETENTION</u>
Zoning Violations	Correspondence, photographs, and documentation	Closed/final + 2 years
Administrative Hearings	Correspondence, photographs, and documentation related to the zoning/code enforcement procedures	Closed/final + 2 years
Grant Applications		Final + 2 years
Building	Projects not completed or denied	Closed + 2 years
Building	Permits	Final + 2 years

*Any records included in Exhibit A which are determined to have historical and/or administrative value must be retained.

EXHIBIT "B"

LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT RECORDS DESTRUCTION AND ELECTRONIC RECORDS RETENTION SCHEDULE

<u>TITLE</u>	<u>DESCRIPTION</u>	<u>OFFICIAL RECORD RETENTION</u>
Case Files- Planning/Zoning	May include blueprints, drawings, maps, reports, permits, variances, studies, compliance certificates, certificates of elevation, lot-line adjustments, other planning matters brought before the Planning Commission and/or Board of Supervisors	Permanent*
Lot Split Cases		Permanent*
Maps, Plans, Drawings	Zoning, tentative subdivision, parcel, land use maps, specific plans, aerial photographs	Permanent*
Land uses – Non-conforming	Building or site storage which does not conform to current building and/or zoning standards	Permanent*
Building	Certificates of Occupancy	Life of the building*
Building	Plans, commercial and residential	Life of the building*
Building	Inspection reports and notices (red tags)	Permanent
CEQA	Exemptions, initial studies, EIRs, mitigation monitoring negative declarations, mitigated negative declarations, technical studies, notices of completion and determination, Comments, statements of overriding consideration	Permanent*

LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT RECORDS ELECTRONIC RETENTION SCHEDULE

TITLE	DESCRIPTION	OFFICIAL RECORD RETENTION
Soil Reports	Final reports	Permanent*
Subdivision Files	Conditions of approval, dedications, easements, maps, correspondence, drainage, improvements	Permanent*
Zoning Administrator	Agenda and Minutes, staff reports, and project-specific correspondence	Permanent*
General Plan	General Plan and land use map General Plan EIR, Housing Needs Assessment, Resolutions amending the General Plan	Permanent*
Historical Records	Historical planning studies, records of historical heritage commission records	Permanent*
Grading Permits	Residential or commercial	Permanent*
Zones of Benefit	Information related to assessments, resolutions, approvals, petitions, location maps, site photographs	Permanent*

*Records may be maintained electronically pursuant to Government Code sections 26205 and 26205.1 if all requirements of those sections are met.