

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING A CONTINUOUS RECORDS RETENTION AND
DESTRUCTION SCHEDULE FOR THE COUNTY COUNSEL'S OFFICE

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 continuing 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 a 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, the County Counsel's Office 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.

NOW, THEREFORE, BE IT RESOLVED that the County 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 County Counsel's Office, which are no longer needed or required for County purposes.
2. County Counsel is hereby granted continuing authorization to retain and destroy records, papers and documents in the possession of that office and described in the Records Retention and Destruction Schedule, which is attached hereto as Exhibit "A" and incorporated herein by reference.

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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 _____, 2021 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

CHAIR, Board of Supervisors

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

APPROVED AS TO FORM:

ANITA L. GRANT
County Counsel

By: _____

By: _____

EXHIBIT A – RECORDS RETENTION AND DESTRUCTION SCHEDULE
OFFICE OF THE COUNTY COUNSEL

<u>TITLE</u>	<u>DESCRIPTION</u>	<u>OFFICIAL RECORD RETENTION</u>
Bail Bond Forfeitures	Pleadings, letters to sureties, court orders to collect, acknowledgement of judgments	7 years after final disposition of the case
CA Public Records Act Requests	Records of requests and written responses	3 years after response to the request
Child Dependency Files	Case files, pleadings, discovery, legal actions, notes, research, correspondence	7 years after termination of jurisdiction
Closed Session Memoranda	Final closed session memoranda to the Board	Permanent
Financial Records	Accounting and Billing Records	10 years after the close of the fiscal year to which the records pertain
Labor Comm. Wage Claims	Pleadings, correspondence, notes, evidence, and orders	7 years after final disposition of the case
Litigation Records	All general litigation, tax, and claim files	7 years after final disposition of the case unless of historical value
Pitchess Motions	Pleadings, correspondence, notes, orders	2 years after the ruling on the motion unless of historical value

<u>TITLE</u>	<u>DESCRIPTION</u>	<u>OFFICIAL RECORD RETENTION</u>
Probate Files	Case files, pleadings, discovery, notes, research and correspondence	<u>Conservatorship Cases</u> – 5 years after death or dismissal of conservatorship <u>Public Administrator Cases</u> – 10 years after last activity
Workers' Compensation Case Files	Case files, pleadings, discovery, notes, research and correspondence	7 years after final disposition of the case unless of historical or administrative value
Formal Legal Opinions to the Board of Supervisors, all Other County departments, and Agencies	Final memoranda/documents stating formal legal opinions	Permanent
General Client Advice Files	Memoranda, correspondence, research, notes and other written communications	10 years after last activity in the file unless of historical or administrative value