RESOLUTION NO. 2014-115

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING REVISIONS AND ADDITIONS TO THE COUNTY’S RECORDS RETENTION SCHEDULE**

**WHEREAS,** on September 10, 2002, Napa County Board of Supervisors approved the Napa County’s Records Management Policy, now known as Napa County Policy Manual, Section 40; and

**WHEREAS,** on August 2, 2011, Napa County Board of Supervisors approved an amendment to the Napa County’s Records Management Policy, known as Napa County Policy Manual, Section 40; and

**WHEREAS,** the County of Napa (“County”) has an obligation maintain County records in accordance with government laws and regulations and accepted records management practices; and

**WHEREAS**, there are significant costs to maintaining records beyond their useful life as such records otherwise take up space in the County’s offices or at the Records Management Center; and

**WHEREAS,** the purpose of a retention schedule is to establish a pattern for the orderly transfer, maintenance, and destruction of records on a continuing basis; and

**WHEREAS**, Sections 26200 *et seq*. of the Government Code provide the relevant procedures for destroying County records; and

**WHEREAS**, pursuant to Section 26201 of the Government Code the Board may authorize destruction or disposition of duplicate records, papers, or documents the originals or permanent photographic reproductions of which are on file with any officer or department of the County; and

**WHEREAS**, pursuant to Section 26205.1(a) of the Government Code the Board may delegate to County officers the authority to destroy any non-judicial public record, paper, or document if the record, paper, or document is photographed, micro photographed, microfilmed, or otherwise reproduced in accordance with State law; including, but not limited to, Section 12168.5 of the Government Code; and

**WHEREAS**, pursuant to Section 26205.1(b) of the Government Code the Board may delegate to County officers the authority to destroy any record not prepared or received pursuant to state statute without creating an alternate copy or the need for those records to be listed on a Board approved records retention schedule; and

**WHEREAS**, pursuant to Section 26202 of the Government Code the Board 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**, retention schedules are used by public entities across the State of California and are an appropriate mechanism for the Board to proactively make the determination under Section 26202 of the Government Code of the State of California as to when various categories of records will no longer be necessary or required for County purposes and thereby improve the efficiency of records management; and

**WHEREAS**, there are some County records that are required by law to be filed and preserved that the Board may not authorize destruction of and it is necessary and appropriate to identify those records and how long they must be retained; and

**WHEREAS**, the Board of Supervisors on April 12, 2011, May 15, 2012 and April 16, 2013, November 26, 2013 approved additions to the County’s retention schedules; and

**WHEREAS**, the County’s retention schedules will be reviewed regularly by the appropriate departments and County Counsel’s office and any necessary amendments will be brought before the Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Napa, State of California that:

1. The foregoing recitals are true and correct.

2. County staff is authorized to destroy or dispose of duplicate records, papers, or documents the originals or permanent photographic reproductions of which are on file with any officer or department of the County.

3. Staff is authorized to destroy any non-judicial public record, paper, or document, including those records prepared or received pursuant to state or federal law, if the record, paper, or document is photographed, micro photographed, microfilmed, or otherwise reproduced in accordance with State law; including, but not limited to, Government Code section 12168.5.

4**.**  Pursuant to Section 26205.1(b) of the Government Code the Board hereby delegates to County department heads and their designees the authority to destroy any record not prepared or received pursuant to state statute without creating an alternate copy.

5. The total time periods for retention set forth in the attached retention schedules, which are attached as Exhibit “A”, are hereby adopted by the Board.

6. The retention set forth in the Exhibit “A” for the Sheriff’s Office supersedes the schedule for the department that was approved on October 30, 1987.

7. Departments heads have the authority to determine the appropriate medium a record may be stored in and may amend the time periods set forth for retention in any specific medium so long they comply with state law and the overall retention period set by the Board in the attached schedules.

8. The Board hereby determines that once records have been retained for the total period set forth under the approved records retention schedules, those records are no longer necessary or required for County purposes and may therefore be destroyed without further action by the Board.

 **THE FOREGOING RESOLUTION WAS DULY ADOPTED** at a regular meeting of the Board of Supervisors of the County of Napa, State of California, held on the 23rd day of September, 2014, by the following vote:

 AYES: SUPERVISORS DILLON, WAGENKNECHT, DODD,

 CALDWELL and LUCE

 NOES: SUPERVISORS NONE

 ABSENT: SUPERVISORS NONE

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 MARK LUCE, Chairman of the

 Board of Supervisors

ATTEST: GLADYS I. COIL

Clerk of the Board of Supervisors

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**APPROVED BY THE NAPA COUNTY**

**BOARD OF SUPERVISORS**

Date: September 23, 2014

Processed by:

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Deputy Clerk of the Board

**APPROVED AS TO FORM**

**Office of County Counsel**

By: *Janice D. Killion*

*(by e-signature)*

Date: August 20, 2014

**Dated:**