

RESOLUTION NO.

RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, APPROVING ADDITION 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, and June 5, 2018, Napa County Board of Supervisors approved amendments to the Napa County's Record Management Policy, known as Napa County Policy Manual, Section 40; and

WHEREAS, the County of Napa ("County") has an obligation to 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 the County is billed for storing records at non-County operated facilities; 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 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 County's retention schedules are reviewed regularly by the appropriate departments and County Counsel's office and any necessary amendments are brought before the Board; and

WHEREAS, the Board of Supervisors has approved numerous additions and amendments to the County's retention schedules since the approval of Napa County Policy Manual, Section 40; and

WHEREAS, the Clerk of the Board of Supervisors and Public Works agreed to shift responsibility for preserving accepted and unaccepted bids and proposals from the Clerk of the Board of Supervisors to Public Works; and

WHEREAS, County Counsel reviewed the retention requirements for this category of records with Public Works and Public Works seeks authorization to destroy those records which have been maintained for the required period of time and which are no longer necessary or required for County purposes;

NOW, THEREFORE, BE IT RESOLVED by the Napa County Board of Supervisors as follows:

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 Exhibits "A" and "B", are hereby adopted by the Board and shall replace any previously approved retention periods and schedules relating to the same records.

6. Department heads have the authority to determine the appropriate medium in which a record may be stored 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 schedule.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 20th day of August 2024, by the following vote:

AYES:	SUPERVISORS	_____

NOES:	SUPERVISORS	_____
ABSTAIN:	SUPERVISORS	_____
ABSENT:	SUPERVISORS	_____

NAPA COUNTY, a political subdivision of the State of California

By: _____
Joelle Gallagher, Chair of the Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Ryan FitzGerald (e-sign)</u> Deputy County Counsel</p> <p>Date: <u>August 12, 2024</u></p> <p>PL No.: <u>118235</u></p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____</p> <p>Deputy Clerk of the Board</p>	<p>ATTEST: NEHA HOSKINS Clerk of the Board of Supervisors By:</p> <p>_____</p>
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