

Fort Ord Reuse Authority

Records Retention and Management Policy

Adopted: July 26, 2012

FORA's Public Records Management Policy will ensure that records are kept only as long as they have some administrative, fiscal, or legal value. When records no longer fulfill the value for which they were created, they should be destroyed unless they also have some historic or research significance. In that case, the records should be preserved by an appropriate historical agency.

1. DEFINITIONS

a. Public Record

Any document and/or information prepared, owned, used, and/or retained by FORA that is both related to the conduct of the public's business and retained in the ordinary course of that business, regardless of physical form or characteristics.

b. Non-Record

Those documents with no administrative, fiscal, or legal value and thus, not retained in the ordinary course of business. This includes, but is not limited to, unofficial copies of documents kept only for convenience or reference, working papers, transitory documents, rough drafts/notes/calculations assembled or created and used in the preparation or analysis of other documents, appointment logs, stocks of publications and blank forms, and library or museum material intended solely for reference or exhibition.

c. Records Retention Schedule

A list of all records produced or maintained by FORA and the actions taken with regards to those records. FORA's retention schedule assists the agency in determining the retention value of all agency documents and provides legal authority to receive, create, retain, and dispose of official public records. In the event of litigation, courts accept a retention schedule as establishing an agency's "normal course of doing business".

d. Retention Period

The length of time a record must be retained to fulfill its administrative, fiscal and/or legal function. All records should be disposed of in accordance with an approved Records Retention Schedule.

2. ELECTRONIC RECORD STORAGE

FORA utilizes DocStar, an electronic imaging program, to save and store public documents. Each public document is scanned and then saved, where it can be easily and quickly retrieved for viewing, copying or emailing.

Public documents saved in DocStar consist of, but are not limited to, the following:

a. Memoranda and correspondence received or sent out by FORA

- b. Public drafts of agreements and contracts
- c. Final executed documents
- d. FORA Board/Committee meeting packets, including agendas, the approved minutes and all supporting documents
- e. Land grant deeds of properties transferred to FORA and pre-recorded copies of deeds transferring properties to the receiving jurisdictions/entities
- f. Documents formerly considered as chronological files
- g. Ordinances and Resolutions

In general, it is FORA's policy to destroy the original hard copy record once it has been scanned. However, FORA maintains a number of original, fully executed documents and agreements in hard copy form. These documents are primarily land grant deeds of property transfers, milestone agreements, and other documents as may be required by banking, financing or other contracts.

3. DATABASES – NETWORK BACK-UP PROCEDURE

For records retention purposes a database is an official record of the organization. Since databases change as they are updated, the retention period is established as "until superseded." This reflects that only the current version of FORA's computer database must be maintained and can be the subject of a public records request. The FORA email system and files are backed-up on a daily basis. A full System Security Backup, which constitutes a backup of all data on the server (email, files, accounting system, phone system, Community Information Center), is performed weekly to an external hard-drive. System Security Backups are transported to a secure, off-site location on a monthly basis.

4. WORD PROCESSING FILES

Many organizational documents are prepared using word processing. For records retention purposes, original notes and drafts are considered non-records or works-in-progress. These versions are destroyed and only the final approved, paper record is considered an official public record. Occasionally, when the subject matter of a draft agreement, contract or policy is deemed to be of a significant and non-transitory subject matter, drafts are retained; however, this is an exception, not the general policy.

5. EMAIL RETENTION

a. Electronic Mail

Email correspondence is generally regarded as transitory communication, which should be routinely discarded when the transaction is complete. Depending on the content of the email, however, it may be considered public record. Employees have the same responsibilities for retaining email messages as they do for any other public record and must distinguish between records and non-record information.

b. Automatic Purging of Emails

The email system is a communication tool and NOT a storage mechanism. As such, all information on the email system shall be subject to automatic purging (that is, deletion) by FORA after 60 days. FORA employees are responsible for opening, retaining and ensuring proper management of emails within 60 days of receipt.

c. Retention of Record Emails

Emails that memorialize public business should be retained. The Employee must determine whether the email is required to be retained. This determination must use the same criteria used for any other means of communication in accordance with the FORA's approved Retention Schedule. Categories of information which are typically retained by FORA include those emails that:

- i. Are required by law to be retained;
- ii. Document notice of an action or position taken, or an action or position to be taken, on behalf of FORA;
- iii. Document a transaction of business between FORA and another party;
- iv. Clarify FORA policy;
- v. Announce a decision of the FORA Board;
- vi. Describe the status of a Board approved project; or
- vii. Announce completion of an assigned task.

d. Responsibility for Retention

When an email originates within FORA, the sender is responsible for ensuring its proper retention. Persons responsible for a particular program or project are responsible for retaining all emails and attachments they send or receive related to that program or project. All other copies are duplicates and may be deleted. The recipient is responsible for retention of emails that originate outside FORA.

e. Method of Retention

If an email contains information which is "required to be retained," as described above, the Employee shall: (1) transfer the required information from the email to an appropriate public record storage system (such as printing the email on paper or saving it to file) before it is deleted or purged from the email system and (2) maintain the public record in accordance with FORA's Records Retention Schedule.

f. Email Attachments

Attachments should be retained or disposed of according to the content of the attachment itself, not the email which transmits the attachment. Thus, attachments should be retained separately from the email to which they are attached, if they constitute a document which the recipient or the sender would ordinarily retain in the course of business.

g. Legal Proceedings

Regardless of retention requirements, email and all other electronic or paper documents pertaining to threatened or actual legal proceeding must be retained until the litigation is concluded. If FORA receives a "litigation hold" or "subpoena," FORA will cease the automatic purging of emails until the litigation hold has been released.

6. RECORDS RETENTION SCHEDULE

Administration

Record Type	Retention Period
Founding Documents (Master Resolution)	Permanent
Board/Committee Agendas and Packets	Permanent

Board/Committee Minutes	Permanent
Board/Committee Resolutions	Permanent
Board Meeting Recordings	Current meeting + 1 year
Committee Meeting Recordings	Approval of Meeting Minutes
FPPC Forms	7 years
Agreements/Contracts	Completion + 5 years
Certificate of Liability Insurance	Expiration + 1 year
Requests for Qualifications /Proposals	Completion of work + 5 years
Correspondence, Misc	Current year + 10 years
General Admin	Current year + 5 years
Internal Documents/Memos, etc	Current year + 5 years
Insurance	Permanent
FORA Publications	Permanent
Deeds	Permanent
Records Retention Schedule/Policy	Until revised

Legal

Record Type	Retention Period
Legal Opinions	Permanent
Law Suits/Claims	Permanent
Public Records Requests/Responses	Current year + 5 years
Misc Legal	Permanent

Public Relations

Record Type	Retention Period
Press Releases	Permanent
Public Presentations/Speeches	Current year + 7 years
Press Clippings	Permanent

Finance

Record Type	Retention Period
Accounts Payable	Current year + 4 years
Accounts Receivable	Current year + 4 years
Audit Reports/Financial Statements	Permanent
Bank Statements	Current year + 4 years
Budgets	5 years
General Ledger	Permanent
Bonds (Account Statements)	Completion + 4 years
Form 1099 Reports	7 years
Form W-2 Reports	7 years
Investment Records	Permanent
Loan Records	4 years after settlement
Payroll	Current year + 6 years
CalPERS Reports	Current year + 6 years
Deferred Compensation Reports	Current year + 6 years
Employee Time Sheets	Current year + 4 years
Workers' Compensation Reports	7 years after settlement

Fixed Assets Inventory	Current year + 4 years
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Human Resources/Personnel

Record Type	Retention Period
Personnel Files	Termination + 3 years
Recruiting/Interview Records (advertisements, notices, resumes, etc.)	Current Year + 5 years
Employment Contracts/Agreements	Termination + 3 years

Engineering/Construction

Record Type	Retention Period
Land Surveys	Permanent
Construction Reports (Environmental, Geological, Soils, Archaeology, traffic, structural)	Permanent
Design Drawings (30%, 60%, 90% complete)	Permanent
Misc. Construction Documents	Permanent
Environmental Documents (state and federal)	Permanent
Grant Funding Applications (state and federal)	Current Year + 3 years
Construction Contracts	Permanent
Grant Agreements	Permanent
Contractor Certifications	Permanent
Construction Payrolls	Permanent
Construction Inspection Reports	Permanent
Accident Reports	Termination + 5 years

Planning

Record Type	Retention Period
Base Reuse Plan	Permanent
Base Reuse Plan Reassessment Documents/Materials	Permanent
Jurisdiction Consistency Determinations	Permanent
Base wide PLL Insurance Policy and Confidentiality Agreements	Permanent
Planning/Finance Journals	Current + 5 years
Professional Training Materials	Current + 5 years
Habitat Management and Related Materials	Permanent
Habitat Conservation Plan and Related Materials	Permanent
Capital Improvement Program and Related Materials	Permanent
Fort Ord Mapping Materials	Permanent
Grant Materials	TBD by Application
Imjin Office Park Planning, Construction, Permitting Documents	Permanent
Planning Misc.	Current + 5 years