



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AMENDING RESOLUTION 99-184 TO UPDATE THE RECORDS RETENTION SCHEDULE FOR THE BOARD OF SUPERVISORS/CLERK OF THE BOARD OFFICE AND RESCINDING RESOLUTION 98-98

WHEREAS, on March 10, 1998, the Board of Supervisors adopted Resolution 98-98, which authorizes the Clerk of the Board to destroy certain records and documents dating prior to specific years between 1985-1993; and

WHEREAS, on April 27, 1999, the Board of Supervisors adopted Resolution 99-184, authorizing the destruction of public records and adopting a schedule for the retention and destruction of records for all County departments; and

WHEREAS, Resolution 99-184 contains inaccurate references to document retention in the Board of Supervisors/Clerk of the Board office; and

WHEREAS, advances in electronic storage technology, new laws expanding public access to government records, and a growing volume of paper records in the Board of Supervisors/Clerk of the Board office necessitates a review and refresh of the retention policy for that office; and

WHEREAS, while State law may require paper records to be kept a certain minimum of years, the Clerk of the Board may exercise discretion to keep paper records much longer or permanently,

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

1. Resolution 99-184 is hereby amended to update the schedule for retention/destruction of **paper** records for the Board of Supervisors/Clerk of the Board office as set forth in Exhibit A of this Resolution; and
2. Resolution 98-98 is hereby rescinded.

Exhibit “A”

BOARD OF SUPERVISORS / CLERK OF THE BOARD

<p><u>Citations</u> B&P = CA Business & Professions Code CCP = Code of Civil Procedure GC = CA Government Code CFR = Code of Federal Regulations D= Discretionary/Best Practices PC = CA Penal Code</p>

Unless otherwise noted, all records are for Board of Supervisors (BOS), Nevada County Sanitation District #1, (NCSD1) Assessment Appeals Board (AAB) and Housing Authority (HA)

Record type	Retention	Citation
Applications for Special Districts, Boards, Commissions, and Committees appointed by the BOS	5 years from leaving office	GC 26202, D
Appeals (i.e., Land Use, Assessment Appeals Board, Code Compliance, Medical Marijuana Abatement, etc.)	5 years from final decision	GC 25105.5
Articles of County Incorporation	Permanent	CCP 337.2
Assesment District (i.e. County Service Areas, Permanent Road Divisions) formation documents	Permanent	GC 26202, D
Ballots – Prop. 218 Assessment Districts, Assessment Ballot proceedings	5 years from the count of ballots	California Constitution Art. XIII, GC 53753(e)(2)
Board Orders	3 years from closure of Board Order	GC 26202
Bonds (Contractors: Performance and Labor/Materials, Letters of Credit)	Held pursuant to Resolution/Agreement, then original is released and a copy is retained for 5 years.	GC 26202, 269701 D
Budget Books	5 years from adoption of Budget (County Executive Office is official record keeper)	GC 26202, D
Budget (Countywide)	Permanent	GC 25102
Bylaws (Committee and Commission)	Current version – 5 years from date Committee is dissolved Prior versions – 3 years after date revised	GC 26202, D
Claims against the County (tort claims and other claims submitted to Clerk of Board, & related correspondence)	5 years from final action on claim	GC 25105.5

Corrected Resolution – Adds the word ‘paper’ in Section #1 to clarify type of records

Record type	Retention	Citation
Closed Session memos	5 years from meeting date	GC 26202, D
Complaints against the County (lawsuits), subpoenas	5 years after resolution of litigation, unless County Counsel requests a longer period.	GC 26202, D
Correspondence (staff and Board members), i.e., staff reports, supporting documents)	5 years from date correspondence received	GC 26202, GC 50115, GC 6253
County-Owned property correspondence and Deeds	Permanent or until sold, whichever is earlier Deeds are kept permanently, either in correspondence file or with resolution)	GC 26202, D
County settlement agreements	5 years after effective date (unless requested longer by County Counsel)	GC 26202, D
Credit card receipts for goods/services	5 years from date of payment plus current	GC 25104 Res. 12-334
Expense reports	Staff - 5 years from date of reimbursement Board members – 5 years from leaving office	GC 26202, D
Franchises	Permanent or 5 years from termination, whichever is earlier	GC 65864 *CCP 337.2, 343
Grand Jury Report – Board Responses – official copy	Permanent	PC 933 (b-c)
Legal Advertising -public notices, legal publications, display ads, affidavits of publishing,	4 years from date of publication	CCP 343, 349 et seq.; GC 911.2
Meeting Agendas/Notices Original agendas and special meeting notices, including certificates of posting, original summaries, original communications and action agendas for governing body or board.	2 years from meeting date	GC 54960.1(c)(1)
Meeting Minutes - Official minutes and hearing proceedings of governing body or board	Permanent	GC 25102 et seq. GC 54950 et seq.
Oaths of Office / Certificates of Appointment for Board-appointed Committees and Commissions where COB is original filing officer	5 years from leaving office	GC 26202, D

Corrected Resolution – Adds the word ‘paper’ in Section #1 to clarify type of records

Record type	Retention	Citation
Ordinances	Permanent	GC 40806
Public Records Act (PRA) files (provided to the public in response to a PRA request. Includes original request, the department response and a copy of the response if possible).	5 years from closure of PRA request	GC 26202, D
Receipts books (handwritten)	5 years from date received plus current (Monthly statement of fees is collected and held by the Auditor)	GC 24356
Resolutions, including executed Agreements	Permanent	GC 25102, GC 40801
Special District correspondence (i.e., Elections, appointment letters)	5 years	GC 26202, D
Staff reports and supporting documents	5 years from date of meeting (P – electronically)	GC 26202, D
Statement of economic interest (FPPC Filings, Form 700)	Special District Boards, Committees, and Commission members: If not filed electronically, 7 years from date original filed or 2 years if original is retained on space saving device. Supervisors, BOS staff: HR keeps original, COB keeps copy 2 years from leaving office.	GC 81009 D
Subpoenas-related to cases not involving the County	5 years from date of compliance or dismissal	GC 26202, D
Taped recordings of Board meetings DVD recordings of Board meetings	10 years from date of meeting Permanent	GC 26202, D