



June 23, 2014

TO: LOCSD Board of Directors

FROM: Kathy A. Kivley, General Manager *Kathy A. Kivley*

SUBJECT: **Agenda Item 11F – 7/3/2014 Board Meeting**  
Adopt Resolution to Permit the Destruction or Disposal of Certain District Records, Documents, and Papers

President  
Craig V. Baltimore

Vice President  
R. Michael Wright

Directors  
Leonard A. Moothart  
Marshall E. Ochylski  
Jon-Erik G. Storm

General Manager  
Kathy A. Kivley

Temporary District  
Accountant  
Michael L. Doyle

Fire Chief  
Robert Lewin

Battalion Chief  
Phill Veneris

Mailing Address:  
P.O. Box 6064  
Los Osos, CA 93412

Offices:  
2122 9<sup>th</sup> Street, Suite 102  
Los Osos, CA 93402

Phone: 805/528-9370  
FAX: 805/528-9377

www.locsd.org

### DESCRIPTION

Adopt Resolution 2014-12 to permit the destruction or disposal of certain District records, documents and papers pursuant to Records Management and Records Retention Schedule adopted by Resolution 2010-04

### STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, Staff recommends that the Board adopt the following motion:

***Motion: I move that the Board adopt Resolution 2014-12 permitting the destruction or disposal of certain District records, documents and papers as listed in the attached EXHIBIT A.***

### DISCUSSION

On April 1, 2010, the District Board adopted Resolution 2010-04 establishing the District's Records Management and Records Retention Schedule. This schedule provides a guide for the periodic destruction of business records according to the life cycles - Active, Inactive and/or Obsolete. This Resolution established procedures and standards in accordance with Government Code Section 60200 et seq. and other statutory requirements and sound records management practices.

The list of records and documents, EXHIBIT A, no longer have administrative, legal, fiscal, or historical value and the recommended retention period for the records has been exceeded. Since the adoption of the Resolution in 2010, no records purging has occurred due to staff turnover and reductions. During this four-year time frame the District continues to accumulate years of records and materials. Additionally with the completion of the bankruptcy, it is prudent to implement this Retention Schedule and subsequently purge the files and records. Because this is a lengthy process in determining according to the Retention Schedule what should be recommended to the Board, staff elects to begin this process earlier than stated in the Retention Schedule and plans to present Resolutions through September 2014 to allow the proper destruction of files and materials according to the schedule.

There is no pending litigation attached to the records to be purged.

**FINANCIAL IMPACT**

The recommended action will have minimal financial impact on the District. There is money in the budget to accomplish this task and understands the constraints regarding proper recycling and shredding.

Attachment – Resolution 2014-12 w/EXHIBIT A

**RESOLUTION 2014 - 12**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT  
ORDERING THE DESTRUCTION OF CERTAINS RECOREDS IN ACCORDANCE WITH  
RECORDS MANAGEMENT AND RECORDS RETENTION SCHEDULE**

**WHEREAS**, the Los Osos Community Services Districts collects and maintains records for public purposes; and

**WHEREAS**, the District determined it was necessary to establish a program that consists of record organization, indexing, selection, retention, destruction and permanent storage; and

**WHEREAS**, the District recognizes the program attempts to minimize the cost and effort of record keeping in addition to keeping the appropriate records for the recommended length of time; and

**WHEREAS**, the District established a Records Retention Schedule and File Plan by adopted Resolution No 2010-4 on April 1, 2010; and

**WHEREAS**, the District, recognizes the importance of abiding by the Retention Schedule concerning the preservation of District records; and

**WHEREAS**, the Districts finds the records listed on Exhibit A incorporated herein in its entirety exceed the dates established by the Retention Schedule and are no longer needed for public purposes.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Directors of the Los Osos Community Services District as follows:

1. Exhibit A conforms to the Records Management and Records Retention Schedule as established in accordance with Government Code Section 60200 et seq. and other statutory requirements and sound records management practices.
2. That the General Manager is hereby authorized to destroy by shredding the records of the District without retaining a copy.

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_ and on the following roll call vote, to wit:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

The foregoing resolution is hereby passed and adopted this 3<sup>rd</sup> day of July, 2014.

\_\_\_\_\_  
Craig V. Baltimore  
President of the Board  
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Kathy A. Kivley  
General Manager and Secretary to the Board

\_\_\_\_\_  
Michael W. Seitz  
District Legal Counsel

EXHIBIT A

1. Administrative - Board File Plan (Page 5 of 10)

Audio/Video Tape Recordings of Meetings: 90 days Legal Minimum\*/90 days LOCSD Records Management and Retention Schedule/30 days Board Bylaws and Rules of Decorum

Requesting the Destruction for the following years:

Calendar Year – January 1 thru December 31, 1999  
Calendar Year – January 1 thru December 31, 2000  
Calendar Year – January 1 thru December 31, 2001  
Calendar Year – January 1 thru December 31, 2002  
Calendar Year – January 1 thru December 31, 2003  
Calendar Year – January 1 thru December 31, 2004  
Calendar Year – January 1 thru December 31, 2005  
Calendar Year – January 1 thru December 31, 2006  
Calendar Year – January 1 thru December 31, 2007  
Calendar Year – January 1 thru December 31, 2008  
Calendar Year – January 1 thru December 31, 2009  
Calendar Year – January 1 thru December 31, 2010  
Calendar Year – January 1 thru December 31, 2011

2. Finance File Plan

Accounts Payable Invoices: 2 years Legal Minimum\*/5 years LOCSD Records Management and Retention Schedule

Requesting the Destruction of the following:

Fiscal Year 1999/2000 – July 1, 1999 through June 30, 2000  
Fiscal Year 2000/2001 – July 1, 2000 through June 30, 2001  
Fiscal Year 2001/2002 – July 1, 2001 through June 30, 2002  
Fiscal Year 2002/2003 – July 1, 2002 through June 30, 2003  
Fiscal Year 2003/2004 – July 1, 2003 through June 30, 2004  
Fiscal Year 2004/2005 – July 1, 2004 through June 30, 2005  
Fiscal Year 2005/2006 – July 1, 2005 through June 30, 2006  
Fiscal Year 2006/2007 – July 1, 2006 through June 30, 2007  
Fiscal Year 2007/2008 – July 1, 2007 through June 30, 2008  
Fiscal Year 2008/2009 – July 1, 2008 through June 30, 2009

*\*Legal Minimum is the number of years the record is required to be retained under State law and for legal purposes.*