



County Policy

Subject:	County Records Management Policy
Authority:	Board of Supervisors
Policy Owner:	County Executive Office
Approval Date:	9/10/19
Last Revision Date:	9/26/17
Version No.:	2.0

A. Purpose

The County of Orange is committed to effective and efficient records management in compliance with state and federal laws. This policy is designed to provide records management guidance and identify departmental duties. This policy also gives direction on the retention and disposition of County records.

B. Definitions

Term	Definition
Computer Networks and Applications	<p>Network - a set of computers connected together for the purpose of sharing resources; networks are defined by directories (e.g. share drive)</p> <p>Application - is a computer program designed to perform a group of coordinated functions, tasks, or activities for the benefit of the user. Applications support staff in the process of performing business functions (e.g. Line of Business, Productivity e.g. CAPS, ERMI, OnBase)</p>
Custodians	<p>Anyone who prepares, owns, uses, or retains public records on behalf of the County. Custodians include County employees and elected officials, and also non-employee personnel performing services for the County such as volunteers, advisory committee members, and interns. Custodians refer to all County employees including, but not limited to, the County's designated Custodians of Record.</p>
Departmental Records	<p>Records maintained by departments respective to their departmental records retention schedule. Specific laws unique to a department may govern the retention of these records.</p>



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Term	Definition
Email	Electronic documents sent or received by email software (i.e. Outlook and local personal storage files-PST) and stored on an email server. This definition applies to the contents of the communication, the transactional information, any attachments associated with such communication, and any related metadata. Emails include typed messages and any other documents sent or received via email software.
Email Server	A computer system which stores, sends and receives email by using standard e-mail protocols. It includes a mail server software for the creation and management of email accounts.
Historical Value	The enduring research value of records that reflect significant or unique aspects of the County's history.
Legal Hold	The suspension of routine destruction of records and any other documents, regardless of format, when it pertains to anticipated legal action or actual legal action.
Records Management	The application of procedures and policies designated to ensure that records are maintained, utilized, and ultimately disposed of in an efficient manner and in accordance with administrative needs and legal requirements. Records management encompasses the retention, preservation, and disposition of records.
Records Retention Schedule	A list of records produced or maintained by a department and the actions taken with regard to those records. A retention schedule is a department's authority to receive, create, retain, and dispose of records. It assists the department by documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal, or legal value. In the event of litigation, courts accept a retention schedule as establishing a department's "normal course of doing business."
Standard Administrative Record	A record commonly maintained by all County departments and is not separately governed by laws that are specifically applicable to that department's unique documents.



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C. Applicability

This policy applies to County records subject to retention. If a record is subject to a specific state or federal law or regulation that conflicts with this policy, then the provisions of those laws or regulations shall prevail.

If there is a legal hold or PRA request, then no County record may be destroyed until the legal hold is terminated and/or the PRA request is completed. Consult with County Counsel before destroying these records.

D. County Records Descriptions

County records subject to retention may be either standard administrative records or departmental records. Standard administrative records are records commonly maintained by all County departments and that are not separately governed by laws that are specifically applicable to that department's unique documents. Departmental records are records unique to a County department and governed by specifically applicable laws. Standard administrative records are governed by Retention Schedule 16D and departmental records are governed by department-specific retention schedules.

Records subject to retention may include communications held on private devices and accounts and must be retained in accordance with this policy.

E. Authority

On March 13, 1973, the Orange County Board of Supervisors (Board) adopted Resolution No. 73-269 that directed the County Administrative Office to conduct a records management program study. As a result of this study, the County inaugurated a Records Management Program in 1975 to ensure maximum economy and control in the utilization, storage, protection, and disposition of County records. The Records Management Program established records control schedules (also known as records retention schedules) and records management training for departments. In 1978, the Records Management Program also established the Orange County Records Center. Board Resolution 83-607 created the Orange County Archives to collect and preserve materials documenting the history of Orange County, and to make this material available to researchers, academics, students and the general public. On July 17, 2007, the Board adopted the County Archives Policy as part of the County Records Management Program.



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This Policy supersedes the County Archives Policy and County Records Management Program dated July 17, 2007, the Electronic Records Management Policy dated December 21, 2009, Email Management Guidelines dated December 21, 2009, and any other records retention related documents, to the extent that this policy conflicts with Board approved departmental schedules or departmental policies.

On May 24, 1977, the Board passed Resolution No.77-847 establishing a Records Retention Schedule for Standard Administrative Records (County Records Retention Schedule 16A), which was revised on September 14, 1999 (County Records Retention Schedule 16B), and on September 26, 2017 (County Records Retention Schedule 16C). This Policy includes the County Standard Administrative Records Retention Schedule 16D which supersedes County Records Retention Schedule 16C.

F. Records Retention and Disposition

1. Retention

Each department shall retain County records in compliance with the legal requirement to store records so as to preserve details without permitting additions, deletions, or changes to the original document or creating another duplicate of the record. Each department shall retain these records to preserve the integrity and accessibility of the records to protect the legal and financial rights and interests of the County and of persons affected by the County's activities. Records prepared or received other than pursuant to state statute or county charter, or records that are not expressly required by law or County policy to be filed and preserved may be destroyed.

Storage requirements and types of records vary by department, and, therefore, each department should determine the appropriate method to maintain and store records subject to retention. Storage locations may include both on-site locations (e.g. office filing cabinets, computer networks and/or applications, see definition section below) and off-site locations (e.g. Orange County Records Center, Orange County Archives). Records may not be stored on a private device or account.

The Orange County Records Center stores records and provides record retrieval services as required and authorized by each department. The Records Center also monitors records retention periods and notifies departments when record retention periods end and the relevant records are ready for disposition. Each department must arrange for the pickup and shredding of these records. All departments should access the following website for additional information and procedures:
<http://ocpwextranet.ocgov.com/recordcenter/>



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2. Disposition

Once a record's retention period ends, it may be destroyed, unless otherwise subject to a pending PRA request or legal hold. Departments should make every effort to dispose of records in a timely fashion once the applicable records retention period expires. Adherence to this policy will ensure that the public and the courts have access to the appropriate universe of documents and County resources on storage and records management are appropriately controlled. Records destruction should be done in the most cost-efficient manner taking into consideration the County's administrative, fiscal, and legal obligations.

3. Preservation

A department may preserve any record for longer than the record's scheduled retention period. Department heads and their designees may permit records to be preserved based on the department's needs. Each department should determine the historical value of a record once its retention period ends and notify the Orange County Archives of that assessment. Additionally, the County Archivist should be consulted to preserve records of historical significance prior to ultimate disposition. (See Board Resolution 83-607.)

G. Specific Responsibilities

1. Records management is the responsibility of all County employees and elected officials, and also non-employee personnel performing services for the County such as volunteers, advisory committee members, and interns (Custodians). (Custodians refer to all County employees including, but not limited to, the County's designated Custodians of Record.)
2. When possible, Custodians leaving County employment shall identify records subject to retention before the last day of employment with the County. These records must be retained by the department for the applicable retention period.
3. The County Executive Office (CEO) administers this policy, maintains Retention Schedule 16D, and approves departmental records retention schedules through the Agenda Staff Report Process. Additionally, CEO will provide training on this policy in conjunction with County Counsel and other departments, as needed.
4. Prior to CEO review, County Counsel reviews and approves records retention schedules with "No Legal Objection" to ensure compliance with government statutes and regulations.



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5. The OC Public Works (OCPW) Department manages the Orange County Records Center, coordinates the development of departmental records retention schedules, and submits departmental records retention schedules through the Agenda Staff Report process for Board consideration.
6. The Clerk-Recorder manages the Orange County Archives, which collects and preserves County records with historical value from the County and other government entities, businesses, organizations, and individuals.
7. Custodians of Records (CORs):
 - a. CORs are responsible to complete periodic reviews and updates to records retention schedules to reflect changes to the department, programs or requirements.
 - b. Proposed changes/updates to the department retention schedules shall receive County Counsel review for compliance with government statutes and regulations.
 - c. Department shall seek CEO review and approval of the changes/updates to the record retention schedule after completing the County Counsel review.
 - d. OC Public Works will obtain Board of Supervisors approval for records retention schedules.
 - e. CORs shall use the Records Retention Schedule Template (Attachment B) as a template for their departmental records retention schedules.

H. Emails

All emails on a department's email servers shall be retained on the department's server for two years after the email was sent/received. All emails shall then be deleted from the department's email servers two years and one day after the email was sent/received, unless otherwise saved to a designed retention folder. All other emails subject to retention periods longer than two years, shall be retained in on-site locations (e.g. computer networks and/or applications).

Emails that are considered standard administrative records or departmental records, as determined by the content of the email, shall be retained according to the prescribed timelines in the applicable records retention schedule.



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I. References

#	Title
1	Legal Hold Policy
2	Board Resolution 83-607 – County Archives
3	Board Resolution 77-847 – Records Schedule 16A

J. Attachments

Title
Attachment A – County Standard Administrative Records Retention Schedule 16D
Attachment B – Records Retention Schedule Template

		COUNTY STANDARD ADMINISTRATIVE RECORDS RETENTION SCHEDULE						
		DEPARTMENT	DIVISION	SECTION	UNIT	EFFECTIVE DATE: 5/24/1977	REVISION DATES: 9/14/1999, 9/26/2017, 9/10/2019	SCHEDULE NO. 16D
		Countywide	All	All	All			
Item No.	TITLE AND DESCRIPTION OF RECORDS	RETENTION	DISPOSITION	APPLICABLE LAW	LOCATION	REMARKS		
1	ACCOUNTING RECORDS (SUPPORTING DOCUMENTATION ONLY) Supporting documentation for Journal Vouchers, Petty Cash Records, Invoices Paid, Requests for Checks and Vouchers, Notice of Checks Returned and Expense Account Records.	Retain current FY + 5 years and until after all scheduled audits.	Destroy after 5 years and after all scheduled audits.	Gov. Code § 26907	Computer networks and applications, office filing cabinets			
2	APPOINTMENT CALENDARS	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets, email software			
3	AUTHORIZED SIGNATURE LIST FILE Signatures of employees authorized to sign purchasing, payroll, personnel, and other forms.	Retain until updated or 5 years, whichever is longer.	May destroy after updated.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
4	CASH REGISTER TAPES, RECEIPT BOOKS AND CANCELLED CHECKS Records pertaining to monies received for various departmental services.	Retain current FY + 5 years and until after all scheduled audits.	May destroy after 5 years and after all scheduled audits.	Gov. Code § 26202	Computer networks and applications, office filing cabinets, Records Center			
5	CONTRACTS AND AGREEMENTS RECORDS Records documenting purchase, rental, lease, maintenance, service, and construction agreements with vendors. Includes bids, proposals, change notices, contracts, and other supporting documents.	Retain until end of FY of final action or expiration of contract + 4 years.	May destroy documents after 4 years. However, documents stored electronically in ERM/CAPS+ and Bidsync are kept permanently.	Code of Civil Procedure § 337	Computer networks and applications, office filing cabinets			
6	DATA INPUT DOCUMENTS Records used only as data input sources for a computer system.	Retain until revised and administrative value ends or 2 years, whichever is longer.	Retain until revised and administrative value ends or 2 years, whichever is longer.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
7	DEPOSIT ORDERS AND DEPOSIT RECEIPTS (SUPPORTING DOCUMENTATION ONLY) Supporting documentation and related records.	Retain current FY + 5 years and until after all scheduled audits.	Destroy after 5 years and after all scheduled audits.	Gov. Code § 26907.2	Computer networks and applications, office filing cabinets			
8	FISCAL RECORDS Documentation collected for budget preparation.	Retain current FY + 2 years.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
9	FIXED ASSET RECORDS (SUPPORTING DOCUMENTATION ONLY) Supporting documentation relating to inventory of all departmental fixed assets, control of fixed assets within the department, fixed asset documents, disposition orders and related records.	Retain until final disposition of fixed asset + 5 years.	Destroy 5 years after final disposition of fixed asset.	Gov. Code § 24051	Computer networks and applications, office filing cabinets			

NOTE: Records, in any format, that are the subject of a legal hold or California Public Records Act request must be retained until the claim, litigation, or PRA request is resolved.

		COUNTY STANDARD ADMINISTRATIVE RECORDS RETENTION SCHEDULE						
		DEPARTMENT	DIVISION	SECTION	UNIT	EFFECTIVE DATE: 5/24/1977	REVISION DATES: 9/14/1999, 9/26/2017, 9/10/2019	SCHEDULE NO. 16D
		Countywide	All	All	All			
Item No.	TITLE AND DESCRIPTION OF RECORDS	RETENTION	DISPOSITION	APPLICABLE LAW	LOCATION	REMARKS		
10	INTELLECTUAL PROPERTY Includes records relating to the County's intellectual property (e.g. copyright, trademarks, and patents) rights such as contracts, amendments, change orders, license agreements and amendments thereto, assignment agreements, applications and registrations, supporting documents, and other documents evidencing the development, ownership, and/or transfer of such rights by the County and/or to the County.	Life of the intellectual property right + 7 years and until County Counsel and applicable department head approve the destruction of the records in writing.	May destroy after life of the intellectual property right + 7 years and until County Counsel and applicable department head approve the destruction of the records in writing.	Copyright Act of 1976 [17 U.S.C. §§ 101-810 and related statutes]; the Lanham (Trademark) Act [15 U.S.C. Ch. 22 and related statutes]; and the U.S. Patent Act [35 U.S.C. §§ 1 <i>et seq.</i> and related statutes].	Computer networks and applications, office filing cabinets			
11	MEMBERSHIP RECORDS Includes invoices, authorizations, and payment method.	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets, Records Center			
12	MILEAGE CLAIMS Records of employee mileage claims requesting reimbursement. Includes claim forms and supporting documentation.	Retain for 5 years.	Scanned into ERMI. Paper copies are destroyed upon scanning into ERMI. Images kept in ERMI for 5 years. May destroy after 5 years, providing audits are complete.	Gov. Code § 26907	Computer networks and applications, office filing cabinets, Records Center			
13	POLICIES AND PROCEDURES, REGULATIONS AND RULES Officially-adopted policies, procedures or public rules affecting the entire County. Internal procedures and instructions. Guidance on any routine internal procedures or protocols required for day-to-day business operations.	Retain until revised and administrative value ends or 2 years, whichever is longer.	Retain until revised and administrative value ends or 2 years, whichever is longer.	Gov. Code § 26202	Computer networks and applications, office filing cabinets	Departments may want to consider preserving these records as reference materials.		
14	POSTAGE RECORDS Records of postage added to postage meter, postage refunds, and postage usage.	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
15	PROCUREMENT RECORDS Various documents relating to the acquisition of office supplies, forms, equipment, and services from vendors. Includes purchase orders, invoices, correspondence, and supporting data. [Note: Requisitions are described below]	Retain current FY + 4 years.	May destroy documents after 4 years. However, documents stored in ERMI/CAPS+ are kept permanently.	Code of Civil Procedure § 337	Computer networks and applications, office filing cabinets			

NOTE: Records, in any format, that are the subject of a legal hold or California Public Records Act request must be retained until the claim, litigation, or PRA request is resolved.

		COUNTY STANDARD ADMINISTRATIVE RECORDS RETENTION SCHEDULE						
		DEPARTMENT	DIVISION	SECTION	UNIT	EFFECTIVE DATE: 5/24/1977	REVISION DATES: 9/14/1999, 9/26/2017, 9/10/2019	SCHEDULE NO. 16D
		Countywide	All	All	All			
Item No.	TITLE AND DESCRIPTION OF RECORDS	RETENTION	DISPOSITION	APPLICABLE LAW	LOCATION	REMARKS		
16	PROCUREMENT REQUISITIONS Requisitions for supplies, equipment, printing services, and other material and services.	Retain current FY + 3 years.	May destroy documents after 3 years. However, documents stored in OC Expediter are kept permanently.	Gov. Code § 25501.5	Computer networks and applications, office filing cabinets			
17	PUBLIC RECORDS ACT REQUESTS Requests, responses and responsive records.	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications	Note that the retention period for the original/non redacted responsive records could expire, but the responsive records should be kept for 2 years.		
18	RECORD DESTRUCTION DOCUMENTATION Records documenting the routine, periodic destruction of departmental records. Includes authorizations to destroy records and other supporting information.	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
19	RECORDINGS OF PHONE AND RADIO COMMUNICATIONS	Retain for 100 days or until pending investigation is over.	May destroy after 100 days or until pending investigation is over.	Gov. Code § 26202.6	Computer networks and applications			
20	RESEARCH Includes questionnaires, surveys, and similar records used to gather data for reports and studies.	Retain until administrative value ends.	May destroy after revised and after administrative value ends.	Gov. Code § 26205.1, 64 Cal. Op. Att'y Gen. 317 (1981)	Computer networks and applications, office filing cabinets			
21	ROUTINE VIDEO MONITORING	Retain 1 year or until pending investigation is over.	May destroy after 1 year or until pending investigation is over.	Gov. Code § 26202.6	Computer networks and applications			
22	TELEPHONE BILLS Copies of paid bills.	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
23	TRAVEL REQUESTS Includes all supporting documentation.	Retain for 5 years.	May destroy after 5 years, providing audits are complete.	Gov. Code § 26907	Computer networks and applications, office filing cabinets, Records Center			

NOTE: Records, in any format, that are the subject of a legal hold or California Public Records Act request must be retained until the claim, litigation, or PRA request is resolved.

		COUNTY STANDARD ADMINISTRATIVE RECORDS RETENTION SCHEDULE						
		DEPARTMENT	DIVISION	SECTION	UNIT	EFFECTIVE DATE: 5/24/1977	REVISION DATES: 9/14/1999, 9/26/2017, 9/10/2019	SCHEDULE NO. 16D
		Countywide	All	All	All			
Item No.	TITLE AND DESCRIPTION OF RECORDS	RETENTION	DISPOSITION	APPLICABLE LAW	LOCATION	REMARKS		
24	TRAINING RECORDS Curriculum and materials developed.	Retain until revised and administrative value ends or 2 years, whichever is longer.	Retain until revised and administrative value ends or 2 years, whichever is longer.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
25	TUITION REIMBURSEMENTS Includes all supporting documentation.	Retain for 5 years.	May destroy after 5 years, providing audits are complete.	Gov. Code § 26907	Computer networks and applications, office filing cabinets, Records Center			
26	VOLUNTEER/INTERN FILES May include, but are not limited to, application/registration/placement documents, background screening verification, monitoring/reporting/training/service records.	Retain records for duration of Volunteer/Intern placement + minimum of 2 years.	May destroy records 2 years after Volunteer/Intern placement has ended.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			
27	WORK REQUESTS (SUPPORTING DOCUMENTATION ONLY) Supporting documentation relating to requests for alterations, repairs, improvements, and construction.	Retain 2 years minimum.	May destroy after 2 years.	Gov. Code § 26202	Computer networks and applications, office filing cabinets			

NOTE:

1. Records prepared or received other than pursuant to state statute or county charter, or records that are not expressly required by law or County policy to be filed and preserved may be destroyed.
2. The County Archivist should be consulted to preserve records of historical value prior to their ultimate disposition. Records subject to a legal hold or Public Records Act request must be retained.
3. Departments should not store duplicate copies at the Records Center, although Departments may have duplicate copies of the following records in which the County official record is kept by a single department pursuant to its Departmental Records Retention Schedule, including but not limited to:

Auditor-Controller: Labor Distribution Reports, Bi-Weekly Timesheets, Payroll Registers, Fixed Asset Inventory, Requests for Checks and Vouchers, Invoices Paid, Deposit Orders and Receipts, Journal Vouchers, Petty Cash, Cancelled Checks, Notice of Checks Returned, Expense Account.

Clerk of the Board: Audit Reports Issued by Internal Audit and Office of Performance Audit, Board of Supervisors Minutes and Agendas. County Counsel: County Counsel Opinions.

County Executive Office - Human Resource Services: Employee Personnel, Personnel Recruitment, Employee Review Notification Report, Master Position Control Report. County Executive Office - Information Technology: Telephone Services.

County Executive Office - Risk Management: Injury and Illness Prevention Program, Workers' Compensation Claim Files.

NOTE: Records, in any format, that are the subject of a legal hold or California Public Records Act request must be retained until the claim, litigation, or PRA request is resolved.

California Government CodeSection 25501.5

The board of supervisors may authorize the destruction or disposition of any written requisition received by the purchasing agent which is more than three years old. Such requisitions need not be photographed, reproduced, or microfilmed prior to destruction and no copy thereof need be retained.

Section 26202

The board may authorize the destruction or disposition of any record, paper, or document which is more than two years old and which was prepared or received in any manner other than pursuant to a state statute or county charter. The board may authorize the destruction or disposition of any record, paper or document which is more than two years old, which was prepared or received pursuant to state statute or county charter, and which is not expressly required by law to be filed and preserved if the board determines by four-fifths ($\frac{4}{5}$) vote that the retention of any such record, paper or document is no longer necessary or required for county purposes. Such records, papers or documents need not be photographed, reproduced or microfilmed prior to destruction and no copy thereof need be retained.

Section 26202.6

- (a) Notwithstanding the provisions of Sections 26202, 26205, and 26205.1, the head of a department of a county, after one year, may destroy recordings of routine video monitoring, and after 100 days may destroy recordings of telephone and radio communications maintained by the department. This destruction shall be approved by the legislative body and the written consent of the agency attorney shall be obtained. In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved.
- (b) For purposes of this section, "recordings of telephone and radio communications" means the routine daily recording of telephone communications to and from a county and all radio communications relating to the operations of the departments.
- (c) For purposes of this section, "routine video monitoring" means video recording by a video or electronic imaging system designed to record the regular and ongoing operations of the departments described in subdivision (a), including mobile in-car video systems, jail observation and monitoring systems, and building security recording systems.
- (d) For purposes of this section, "department" includes a public safety communications center operated by the county and the governing board of any special district the membership of which is the same as the membership of the board of supervisors.

Section 26205.1

(a) The county officer having custody of nonjudicial public records, documents, instruments, books, and papers may cause to be destroyed any or all of the records, documents, instruments, books, and papers if all of the following conditions exist:

(1) The board of supervisors of the county has adopted a resolution authorizing the county officer to destroy records, documents, instruments, books, and papers pursuant to this subdivision. The resolution may impose conditions, in addition to those specified in this subdivision, that the board of supervisors determines are appropriate.

(2) The county officer who destroys any record, document, instrument, book, or paper pursuant to the authority granted by this subdivision and a resolution of the board of supervisors adopted pursuant to paragraph (1) shall maintain for the use of the public a photographic or microphotographic film, electronically recorded video production, a record contained in the electronic data processing system, a record recorded on optical disk, a record recorded by any other medium that does not permit additions, deletions, or changes to the original document, or other duplicate of the record, document, instrument, book, or paper destroyed.

(3) The record, paper or document is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk or reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document and is produced in compliance with Section 12168.7 for recording of permanent records or nonpermanent records.

(b) Paragraphs (2) and (3) of subdivision (a) do not apply to records prepared or received other than pursuant to a state statute or county charter, or records that are not expressly required by law to be filed and preserved.

For the purposes of this section, every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

(c) The county clerk having custody of the original or a copy of the articles of any corporation may cause the destruction of any or all the documents. "Articles" includes the articles of incorporation, amendments thereto, amended articles, restated articles, certificate of incorporation, certificates of determination of preferences, dissolution certificates, merger certificates, and agreements of consolidation or merger.

(d) Notwithstanding any other provision of this section, destruction of the original records, papers, or documents is not authorized when the method of reproduction pursuant to this section is reproduction of electronically recorded video images on magnetic surfaces unless a duplicate videotape of the images is separately maintained. A duplicate copy of a record contained in the electronic data processing system, on optical disk, or on any other medium that does not permit additions, deletions, or changes to the original document shall also be separately maintained.

RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

September 10, 2019

WHEREAS, the Board of Supervisors may authorize the destruction of County records as permitted by law, including Government Code sections 25501.5, 26202, 26205, 26205.1, 26202.6, and

WHEREAS, the County Counsel requests that the Board approve the County Records Management Policy effective September 10, 2019 to supersede records retention related documents.

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby:

1. Find that the subject activity is not a project within the meaning of California Environmental Quality Act (CEQA) Guidelines Section 15378 and is therefore not subject to review under CEQA.
2. Approve the County Records Management Policy effective September 10, 2019 pursuant to the Board's authority under law, including Government Code sections 25501.5, 26202, 26205, 26205.1, 26202.6. This policy supersedes the records management policy approved on September 26, 2017.
3. Approve County Standard Administrative Records Retention Schedule 16D.
4. Authorize continuing disposition of the records in accordance with the approved County Records Management Policy and Standard Administrative Records Retention Schedule 16D.
5. Authorize the County Executive Office to make immaterial changes to the County Records Management Policy as necessary.



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File No. G-080

M E M O R A N D U M

September 4, 2019

SUBJECT: Office of the County Counsel's Consent Pursuant to Government Code Section 26202.6 for the Standard Administrative Records Retention Schedule 16C

California Government Code Section 26202.6 authorizes the head of a department of a county to destroy the department's recordings of routine video monitoring after one year, and the recordings of telephone and radio communications after 100 days. The statute requires that the destruction be approved by the legislative body, and that the written consent of the agency attorney be obtained.

The office of the County Counsel hereby consents to the destruction of recordings of routine video monitoring and recordings of telephone and radio communications made and maintained by County departments. No routine video monitoring recordings may be destroyed until after they are one year old, and no recordings of telephone and radio communications may be destroyed until after they are 100 days old. In those instances where a departmental retention schedule specifies a longer retention period for these recordings, that schedule shall be followed. In the event that the recordings are subject to a legal hold, a Public Records Act request, or are evidence in any claim filed or any pending litigation, they shall be preserved until pending legal hold, Public Records Act request, claim or litigation is completed.

A handwritten signature in blue ink, reading "Leon Page", is written over a horizontal line.